



General Assembly

**Substitute Bill No. 1010**

January Session, 2011

\* \_\_\_\_SB01010APP\_\_052411\_\_\_\_ \*

**AN ACT CONCERNING THE TRANSFER OF FUNCTIONS FROM THE DEPARTMENTS OF PUBLIC WORKS, INFORMATION TECHNOLOGY AND PUBLIC SAFETY AND THE JUDICIAL SELECTION COMMISSION TO THE DEPARTMENT OF ADMINISTRATIVE SERVICES AND ESTABLISHING THE DEPARTMENT OF CONSTRUCTION SERVICES.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (k) of section 51-44a of the general statutes is  
2 repealed and the following is substituted in lieu thereof (*Effective July*  
3 *1, 2011*):

4 (k) [The commission may employ such staff as is necessary for the  
5 performance of its functions and duties] The commission shall be  
6 within the Department of Administrative Services, provided the  
7 commission shall have independent decision-making authority. Said  
8 department shall provide staff support for the commission.

9 Sec. 2. (NEW) (*Effective July 1, 2011*) (a) The Department of  
10 Administrative Services shall assume all responsibilities of the  
11 Department of Public Works pursuant to any provision of the general  
12 statutes, except those duties relating to construction and construction  
13 management. The transfer of functions, personnel, powers, duties,  
14 obligations, including, but not limited to, contract obligations, the  
15 continuance of orders and regulations, the effect upon pending actions  
16 and proceedings, the completion of unfinished business, and the

17 transfer of records and property between the Department of Public  
18 Works, as said department existed immediately prior to July 1, 2011,  
19 and the Department of Administrative Services shall be governed by  
20 the provisions of sections 4-38d, 4-38e and 4-39 of the general statutes.

21 (b) Any order or regulation of the Department of Public Works,  
22 which is in force on July 1, 2011, provided such order or regulation  
23 does not concern construction or the maintenance of state buildings or  
24 property, shall continue in force and effect as an order or regulation of  
25 the Department of Administrative Services until amended, repealed or  
26 superseded pursuant to law. Where any order or regulation of said  
27 departments conflict, the Commissioner of Administrative Services  
28 may implement policies and procedures consistent with the provisions  
29 of this act while in the process of adopting the policy or procedure in  
30 regulation form, provided notice of intention to adopt regulations is  
31 printed in the Connecticut Law Journal within twenty days of  
32 implementation. The policy or procedure shall be valid until the time  
33 final regulations are effective.

34 Sec. 3. (NEW) (*Effective July 1, 2011*) On and after July 1, 2011, (1)  
35 "Commissioner of Administrative Services" shall be substituted for  
36 "Commissioner of Public Works" or "Public Works Commissioner",  
37 and (2) "Department of Administrative Services" shall be substituted  
38 for "Department of Public Works", in the following sections of the  
39 general statutes: 1-205, 1-210, 2-71h, 3-14b, 4b-2, 4b-4, 4b-21, 4b-24a, 4b-  
40 25, 4b-27, 4b-29, 4b-30, 4b-30a, 4b-33, 4b-34, 4b-35, 4b-46, 8-37y, 10a-89,  
41 10a-150, 13a-80i, 13b-42, 13b-55, 16a-38h, 17b-655, 17b-739, 18-31b, 20-  
42 68, 20-311b, 20-503, 22a-324, 31-250, 32-228, 32-656, 45a-80, 46a-29, 51-  
43 27a, 51-27c, 51-27d, 51-51k and 51-279.

44 Sec. 4. Section 4-5 of the general statutes is repealed and the  
45 following is substituted in lieu thereof (*Effective July 1, 2011*):

46 As used in sections 4-6, 4-7 and 4-8, the term "department head"  
47 means Secretary of the Office of Policy and Management,  
48 Commissioner of Administrative Services, Commissioner of Revenue

49 Services, Banking Commissioner, Commissioner of Children and  
50 Families, Commissioner of Construction Services, Commissioner of  
51 Consumer Protection, Commissioner of Correction, Commissioner of  
52 Economic and Community Development, State Board of Education,  
53 Commissioner of Emergency Management and Homeland Security,  
54 Commissioner of Environmental Protection, Commissioner of  
55 Agriculture, Commissioner of Public Health, Insurance Commissioner,  
56 Labor Commissioner, Liquor Control Commission, Commissioner of  
57 Mental Health and Addiction Services, Commissioner of Public Safety,  
58 Commissioner of Social Services, Commissioner of Developmental  
59 Services, Commissioner of Motor Vehicles, Commissioner of  
60 Transportation, [Commissioner of Public Works,] Commissioner of  
61 Veterans' Affairs, [Chief Information Officer,] the chairperson of the  
62 Public Utilities Control Authority, the executive director of the Board  
63 of Education and Services for the Blind, the executive director of the  
64 Connecticut Commission on Culture and Tourism, and the executive  
65 director of the Office of Military Affairs. As used in sections 4-6 and 4-  
66 7, "department head" also means the Commissioner of Education.

67 Sec. 5. Section 4-38c of the general statutes is repealed and the  
68 following is substituted in lieu thereof (*Effective July 1, 2011*):

69 There shall be within the executive branch of state government the  
70 following departments: Office of Policy and Management, Department  
71 of Administrative Services, Department of Revenue Services,  
72 Department of Banking, Department of Agriculture, Department of  
73 Children and Families, Department of Consumer Protection,  
74 Department of Correction, Department of Economic and Community  
75 Development, State Board of Education, Department of Emergency  
76 Management and Homeland Security, Department of Environmental  
77 Protection, Department of Public Health, Board of Governors of  
78 Higher Education, Insurance Department, Labor Department,  
79 Department of Mental Health and Addiction Services, Department of  
80 Developmental Services, Department of Public Safety, Department of  
81 Social Services, Department of Transportation, Department of Motor  
82 Vehicles, Department of Veterans' Affairs, [Department of Public

83 Works] Department of Construction Services and Department of  
84 Public Utility Control.

85 Sec. 6. Subsection (b) of section 4a-59a of the general statutes is  
86 repealed and the following is substituted in lieu thereof (*Effective July*  
87 *1, 2011*):

88 (b) Notwithstanding the provisions of subsection (a) of this section,  
89 the [Commissioners] Commissioner of Administrative Services [and  
90 Public Works] may, for a period of one year from the date such  
91 contract would otherwise expire, extend any contract in effect on May  
92 1, 2005, with a value of fifty thousand dollars or more per year, to  
93 perform any of the following services for the state: Janitorial, building  
94 maintenance, security and food and beverage. Any such extension  
95 shall include any applicable increase in the standard wage and the  
96 payroll burden to administer the standard wage, as established by the  
97 Labor Department.

98 Sec. 7. Subsection (b) of section 4a-62 of the general statutes is  
99 repealed and the following is substituted in lieu thereof (*Effective July*  
100 *1, 2011*):

101 (b) The committee may request any agency of the state authorized to  
102 award public works contracts or to enter into purchase of goods or  
103 services contracts to submit such information on compliance with  
104 sections 4a-60 and 4a-60g and at such times as the committee may  
105 require. The committee shall consult with the Departments of [Public  
106 Works] Administrative Services, Transportation and Economic  
107 Development and the Commission on Human Rights and  
108 Opportunities concerning compliance with the state programs for  
109 minority business enterprises. The committee shall report annually on  
110 or before February first to the Joint Standing Committee on Legislative  
111 Management on the results of its ongoing study and include its  
112 recommendations, if any, for legislation.

113 Sec. 8. Subsections (k) and (l) of section 4a-100 of the general statutes  
114 are repealed and the following is substituted in lieu thereof (*Effective*

115 *July 1, 2011):*

116 (k) (1) Any substantial evidence of fraud in obtaining or  
117 maintaining prequalification or any materially false statement in the  
118 application, update statement or update bid statement may, in the  
119 discretion of the awarding authority, result in termination of any  
120 contract awarded the contractor by the awarding authority. The  
121 awarding authority shall provide written notice to the commissioner of  
122 such false statement not later than thirty days after discovering such  
123 false statement. The commissioner shall provide written notice of such  
124 false statement to the Commissioner of [Public Works] Construction  
125 Services, the Commissioner of Consumer Protection and the President  
126 of The University of Connecticut not later than thirty days after  
127 discovering such false statement or receiving such notice.

128 (2) The commissioner shall deny or revoke the prequalification of  
129 any contractor or substantial subcontractor if the commissioner finds  
130 that the contractor or substantial subcontractor, or a principal or key  
131 personnel of such contractor or substantial contractor, within the past  
132 five years (A) has included any materially false statement in a  
133 prequalification application, update statement or update bid  
134 statement, (B) has been convicted of, entered a plea of guilty or nolo  
135 contendere for, or admitted to, a crime related to the procurement or  
136 performance of any public or private construction contract, or (C) has  
137 otherwise engaged in fraud in obtaining or maintaining  
138 prequalification. Any revocation made pursuant to this subsection  
139 shall be made only after an opportunity for a hearing. Any contractor  
140 or substantial subcontractor whose prequalification has been revoked  
141 pursuant to this subsection shall be disqualified for a period of two  
142 years after which the contractor or substantial subcontractor may  
143 reapply for prequalification, except that a contractor or substantial  
144 subcontractor whose prequalification has been revoked on the basis of  
145 conviction of a crime or engaging in fraud shall be disqualified for a  
146 period of five years after which the contractor or substantial  
147 subcontractor may reapply for prequalification. The commissioner  
148 shall not prequalify a contractor or substantial subcontractor whose

149 prequalification has been revoked pursuant to this subdivision until  
150 the expiration of said two-year, five-year, or other applicable  
151 disqualification period and the commissioner is satisfied that the  
152 matters that gave rise to the revocation have been eliminated or  
153 remedied.

154 (l) The commissioner shall provide written notice of any revocation,  
155 disqualification, reduction in classification or capacity rating or  
156 reinstated prequalification to the Commissioner of [Public Works]  
157 Construction Services, the Commissioner of Consumer Protection and  
158 the President of The University of Connecticut not later than thirty  
159 days after any final determination.

160 Sec. 9. Section 4b-3 of the general statutes is repealed and the  
161 following is substituted in lieu thereof (*Effective July 1, 2011*):

162 (a) There is established a State Properties Review Board which shall  
163 consist of six members appointed as follows: The speaker of the House  
164 and president pro tempore of the Senate shall jointly appoint three  
165 members, one of whom shall be experienced in matters relating to  
166 architecture, one experienced in building construction matters and one  
167 in matters relating to engineering; and the minority leader of the  
168 House and the minority leader of the Senate shall jointly appoint three  
169 members, one of whom shall be experienced in matters relating to the  
170 purchase, sale and lease of real estate and buildings, one experienced  
171 in business matters generally and one experienced in the management  
172 and operation of state institutions. No more than three of said six  
173 members shall be of the same political party. One of the members first  
174 appointed by the speaker and the president pro tempore shall serve a  
175 two-year term, one shall serve a three-year term and one shall serve a  
176 four-year term. One of the members first appointed by the minority  
177 leaders of the House and Senate shall serve a two-year term, one shall  
178 serve a three-year term and one shall serve a four-year term. All  
179 appointments of members to replace those whose terms expire shall be  
180 for a term of four years and until their successors have been appointed  
181 and qualified. If any vacancy occurs on the board, the appointing

182 authorities having the power to make the initial appointment under  
183 the provisions of this section shall appoint a person for the unexpired  
184 term in accordance with the provisions hereof.

185 (b) The chairman of the board shall be compensated two hundred  
186 dollars per diem up to a maximum of thirty thousand dollars annually.  
187 Other members of the board shall be compensated two hundred  
188 dollars per diem up to a maximum of twenty-five thousand dollars  
189 annually. The members of the board shall choose their own chairman.  
190 No person shall serve on this board who holds another state or  
191 municipal governmental position and no person on the board shall be  
192 directly involved in any enterprise which does business with the state  
193 or directly or indirectly involved in any enterprise concerned with real  
194 estate acquisition or development.

195 (c) The board may adopt such rules as it deems necessary for the  
196 conduct of its internal affairs, in accordance with section 4-167.

197 (d) Notwithstanding any other statute or special act to the contrary,  
198 the Commissioner of [Public Works] Administrative Services shall be  
199 the sole person authorized to represent the state in its dealings with  
200 third parties for the acquisition [, construction, development] or  
201 leasing of real estate for housing the offices or equipment of all  
202 agencies of the state or for the state-owned public buildings or realty  
203 [hereinafter] and the Commissioner of Construction Services shall be  
204 the sole person authorized to represent the state in its dealings with  
205 third parties for the construction or development of real estate or state-  
206 owned public buildings or realty as provided for in sections 2-90, 4b-1  
207 to 4b-5, inclusive, 4b-21, 4b-23, as amended by this act, 4b-24, 4b-26, 4b-  
208 27, 4b-30 and 4b-32, subsection (c) of section 4b-66 and sections 4b-67  
209 to 4b-69, inclusive, 4b-71, 4b-72, 10-95, 10a-72, as amended by this act,  
210 10a-89, 10a-90, as amended by this act, 10a-114, 10a-130, 10a-144, 17b-  
211 655, 22-64, 22a-324, 26-3, 27-45, 32-1c, 32-39, 48-9, 51-27d and 51-27f,  
212 except that (1) the Joint Committee on Legislative Management may  
213 represent the state in the planning and construction of the Legislative  
214 Office Building and related facilities, in Hartford; (2) the Chief Court

215 Administrator may represent the state in providing for space for the  
216 Court Support Services Division as part of a new or existing contract  
217 for an alternative incarceration program pursuant to section 54-103b or  
218 a program developed pursuant to section 46b-121i, 46b-121j, 46b-121k  
219 or 46b-121l; (3) the board of trustees of a constituent unit of the state  
220 system of higher education may represent the state in the leasing of  
221 real estate for housing the offices or equipment of such constituent  
222 unit, provided no lease payments for such realty are made with funds  
223 generated from the general revenues of the state; (4) the Labor  
224 Commissioner may represent the state in the leasing of premises  
225 required for employment security operations as provided in subsection  
226 (c) of section 31-250; (5) the Commissioner of Developmental Services  
227 may represent the state in the leasing of residential property as part of  
228 the program developed pursuant to subsection (b) of section 17a-218,  
229 provided such residential property does not exceed two thousand five  
230 hundred square feet, for the community placement of persons eligible  
231 to receive residential services from the department; and (6) the  
232 Connecticut Marketing Authority may represent the state in the  
233 leasing of land or markets under the control of the Connecticut  
234 Marketing Authority, and, except for the housing of offices or  
235 equipment in connection with the initial acquisition of an existing state  
236 mass transit system or the leasing of land by the Connecticut  
237 Marketing Authority for a term of one year or more in which cases the  
238 actions of the Department of Transportation and the Connecticut  
239 Marketing Authority shall be subject to the review and approval of the  
240 State Properties Review Board. The Commissioner of [Public Works]  
241 Administrative Services shall have the power to establish and  
242 implement any procedures necessary for the commissioner to assume  
243 the commissioner's responsibilities as said sole bargaining agent for  
244 state realty acquisitions and shall perform the duties necessary to carry  
245 out such procedures. The Commissioner of [Public Works]  
246 Administrative Services or Construction Services may appoint, within  
247 [the commissioner's] each department's budget and subject to the  
248 provisions of chapter 67, such personnel deemed necessary by the  
249 commissioner to carry out the provisions hereof, including experts in



250 real estate, construction operations, financing, banking, contracting,  
251 architecture and engineering. The Attorney General's office, at the  
252 request of the [commissioner] Commissioner of Administrative  
253 Services, shall assist the commissioner in contract negotiations  
254 regarding the purchase [,] or lease [or construction] of real estate.

255 (e) The State Properties Review Board shall be within the  
256 Department of Administrative Services and shall have independent  
257 decision-making authority.

258 (f) The State Properties Review Board shall review real estate  
259 acquisitions, sales, leases and subleases proposed by the  
260 Commissioner of [Public Works] Administrative Services, the  
261 acquisition, other than by condemnation, or the sale or lease of any  
262 property by the Commissioner of Transportation under subdivision  
263 (12) of section 13b-4, subject to section 4b-23, as amended by this act,  
264 and subsection (h) of section 13a-73 and review, for approval or  
265 disapproval, any contract for a project described in subsection (h) of  
266 section 4b-91. Such review shall consider all aspects of the proposed  
267 actions, including feasibility and method of acquisition and the  
268 prudence of the business method proposed. The board shall also  
269 cooperate with and advise and assist the Commissioner of [Public  
270 Works] Administrative Services and the Commissioner of  
271 Transportation in carrying out their duties. The board shall have access  
272 to all information, files and records, including financial records, of the  
273 Commissioner of [Public Works] Administrative Services and the  
274 Commissioner of Transportation, and shall, when necessary, be  
275 entitled to the use of personnel employed by said commissioners. The  
276 board shall approve or disapprove any acquisition of development  
277 rights of agricultural land by the Commissioner of Agriculture under  
278 section 22-26cc. The board shall hear any appeal under section 8-273a  
279 and shall render a final decision on the appeal within thirty days  
280 thereafter. The written decision of the board shall be a final decision  
281 for the purposes of sections 4-180 and 4-183.

282 Sec. 10. Subsection (a) of section 4b-15 of the general statutes is

283 repealed and the following is substituted in lieu thereof (*Effective July*  
284 *1, 2011*):

285 (a) Each state agency having care, control and supervision of state  
286 property, including the Judicial Department and the Joint Committee  
287 on Legislative Management of the General Assembly, shall prepare [on  
288 or before October 1, 1990,] and [thereafter] periodically update, in  
289 consultation with the Commissioners of Environmental Protection and  
290 [Public Works] Administrative Services, a plan for each facility under  
291 its care, control or supervision to (1) reduce the use of disposable and  
292 single-use products, in accordance with the plan adopted by the  
293 Commissioner of Administrative Services pursuant to section 4a-67b,  
294 (2) separate and collect items designated as either suitable or required  
295 for recycling pursuant to section 22a-241b. Such plan shall establish a  
296 schedule for implementation of the policies recommended in the plan.

297 Sec. 11. Subsection (a) of section 4b-136 of the general statutes is  
298 repealed and the following is substituted in lieu thereof (*Effective July*  
299 *1, 2011*):

300 (a) There is established a State-Wide Security Management Council.  
301 The council shall consist of the Commissioner of Public Safety, the  
302 Commissioner of Administrative Services, the Commissioner of  
303 Mental Health and Addiction Services, the Commissioner of [Public  
304 Works] Construction Services, the Commissioner of Emergency  
305 Management and Homeland Security, the Secretary of the Office of  
306 Policy and Management, the Chief Court Administrator, an attorney  
307 appointed by the Commissioner of [Public Works] Construction  
308 Services, the executive director of the Joint Committee on Legislative  
309 Management, a representative of the Governor, a representative of the  
310 State Employees Bargaining Agent Coalition and the president of the  
311 Connecticut State Police Union or the president's designee. The  
312 Commissioner of [Public Works] Construction Services shall serve as  
313 chairperson of the council. Each council member shall provide  
314 technical assistance in the member's area of expertise, as required by  
315 the council.

316 Sec. 12. Subsection (a) of section 4d-90 of the general statutes is  
317 repealed and the following is substituted in lieu thereof (*Effective July*  
318 *1, 2011*):

319 (a) There is established a Geospatial Information Systems Council  
320 consisting of the following members, or their designees: (1) The  
321 Secretary of the Office of Policy and Management; (2) the  
322 Commissioners of Environmental Protection, Economic and  
323 Community Development, Transportation, Public Safety, Public  
324 Health, [Public Works] Construction Services, Administrative Services,  
325 Agriculture, Emergency Management and Homeland Security and  
326 Social Services; (3) [the Chief Information Officer of the Department of  
327 Information Technology; (4)] the Chancellor of the Connecticut State  
328 University System; [(5)] (4) the president of The University of  
329 Connecticut; [(6)] (5) the Executive Director of the Connecticut Siting  
330 Council; [(7)] (6) one member who is a user of geospatial information  
331 systems appointed by the president pro tempore of the Senate  
332 representing a municipality with a population of more than sixty  
333 thousand; [(8)] (7) one member who is a user of geospatial information  
334 systems appointed by the minority leader of the Senate representing a  
335 regional planning agency; [(9)] (8) one member who is a user of  
336 geospatial information systems appointed by the Governor  
337 representing a municipality with a population of less than sixty  
338 thousand but more than thirty thousand; [(10)] (9) one member who is  
339 a user of geospatial information systems appointed by the speaker of  
340 the House of Representatives representing a municipality with a  
341 population of less than thirty thousand; [(11)] (10) one member  
342 appointed by the minority leader of the House of Representatives who  
343 is a user of geospatial information systems; [(12)] (11) the chairperson  
344 of the Public Utilities Control Authority; [(13)] (12) the Adjutant  
345 General of the Military Department; and [(14)] (13) any other persons  
346 the council deems necessary appointed by the council. The Governor  
347 shall select the chairperson from among the members. The chairperson  
348 shall administer the affairs of the council. Vacancies shall be filled by  
349 appointment by the authority making the appointment. Members shall

350 receive no compensation for their services on said council, but shall be  
351 reimbursed for necessary expenses incurred in the performance of  
352 their duties. Said council shall hold one meeting each calendar quarter  
353 and such additional meetings as may be prescribed by council rules. In  
354 addition, special meetings may be called by the chairperson or by any  
355 three members upon delivery of forty-eight hours written notice to  
356 each member.

357       Sec. 13. Section 4e-8 of the general statutes is repealed and the  
358 following is substituted in lieu thereof (*Effective July 1, 2011*):

359       There is established a Contracting Standards Advisory Council,  
360 which shall consist of representatives from the Office of Policy and  
361 Management, Departments of Administrative Services, Transportation  
362 [ , Public Works and Information Technology] and Construction  
363 Services and representatives of at least three additional contracting  
364 agencies, including at least one human services related state agency,  
365 designated by the Governor. The Chief Procurement Officer shall be a  
366 member of the council and serve as chairperson. The advisory council  
367 shall meet at least four times per year to discuss state procurement  
368 issues and to make recommendations for improvement of the  
369 procurement processes to the State Contracting Standards Board. The  
370 advisory council may conduct studies, research and analyses and make  
371 reports and recommendations with respect to subjects or matters  
372 within the jurisdiction of the State Contracting Standards Board.

373       Sec. 14. Subsection (d) of section 10-292 of the general statutes is  
374 repealed and the following is substituted in lieu thereof (*Effective July*  
375 *1, 2011*):

376       (d) If the Department of Administrative Services or the Department  
377 of [Public Works] Construction Services makes a state contract  
378 available for use by towns or regional school districts, a town or  
379 regional school district may use such contract, provided the actual  
380 estimate for the school building project under the state contract is not  
381 given until receipt by the town or regional school district of approval

382 of the plan pursuant to this section.

383 Sec. 15. Subsection (b) of section 16a-35c of the general statutes is  
384 repealed and the following is substituted in lieu thereof (*Effective July*  
385 *1, 2011*):

386 (b) The Secretary of the Office of Policy and Management, in  
387 consultation with the Commissioners of Economic and Community  
388 Development, Environmental Protection, [Public Works]  
389 Administrative Services, Agriculture, Transportation, the chairman of  
390 the Transportation Strategy Board, the regional planning agencies in  
391 the state and any other persons or entities the secretary deems  
392 necessary shall develop recommendations for delineation of the  
393 boundaries of priority funding areas in the state and for revisions  
394 thereafter. In making such recommendations the secretary shall  
395 consider areas designated as regional centers, growth areas,  
396 neighborhood conservation areas and rural community centers on the  
397 state plan of conservation and development, redevelopment areas,  
398 distressed municipalities, as defined in section 32-9p; targeted  
399 investment communities, as defined in section 32-222; public  
400 investment communities, as defined in section 7-545, enterprise zones,  
401 designated by the Commissioner of Economic and Community  
402 Development under section 32-70, corridor management areas  
403 identified in the state plan of conservation and development and the  
404 principles of the Transportation Strategy Board approved under  
405 section 13b-57h. The secretary shall submit the recommendations to  
406 the Continuing Legislative Committee on State Planning and  
407 Development established pursuant to section 4-60d for review when  
408 the state plan of conservation and development is submitted to such  
409 committee in accordance with section 16a-29. The committee shall  
410 report its recommendations to the General Assembly at the time said  
411 state plan is submitted to the General Assembly under section 16a-30.  
412 The boundaries shall become effective upon approval of the General  
413 Assembly.

414 Sec. 16. Section 22a-26a of the general statutes is repealed and the

415 following is substituted in lieu thereof (*Effective July 1, 2011*):

416 The Department of Environmental Protection, in consultation with  
417 the Departments of Transportation and [Public Works] Construction  
418 Services, The University of Connecticut and other state agencies with  
419 jurisdiction over state-owned properties, shall identify state-owned  
420 properties which provide public access to the waters of Long Island  
421 Sound and, in addition, identify other properties which the state may  
422 acquire to provide public access to the waters of Long Island Sound.  
423 The properties to be identified shall include highway easements,  
424 bridge crossings, university-owned lands, railroad rights-of-way and  
425 other coastal or riverfront properties owned or controlled by the state  
426 or by others. State-owned properties which are used for non-water-  
427 dependent activities shall be assessed for reclassification to public  
428 water-dependent use or shared use. The department shall submit a  
429 report of its findings to the joint standing committee of the General  
430 Assembly having cognizance of matters concerning the environment  
431 on or before October 1, 1992, and the Comptroller shall cause such  
432 findings to be added to and made a part of the inventory of state  
433 property required pursuant to the provisions of section 4-36.

434 Sec. 17. Subsection (b) of section 22a-354i of the general statutes is  
435 repealed and the following is substituted in lieu thereof (*Effective July*  
436 *1, 2011*):

437 (b) In adopting such regulations, the commissioner shall consider  
438 the guidelines for aquifer protection areas recommended in the report  
439 prepared pursuant to special act 87-63, as amended, and shall avoid  
440 duplication and inconsistency with other state or federal laws and  
441 regulations affecting aquifers. The regulations shall be developed in  
442 consultation with an advisory committee appointed by the  
443 commissioner. The advisory committee shall include the  
444 Commissioners of [Public Works] Construction Services and Public  
445 Health and the chairperson of the Public Utilities Control Authority, or  
446 their designees, members of the public, and representatives of  
447 businesses affected by the regulations, agriculture, environmental

448 groups, municipal officers and water companies.

449 Sec. 18. Subsection (c) of section 31-57c of the general statutes is  
450 repealed and the following is substituted in lieu thereof (*Effective July*  
451 *1, 2011*):

452 (c) The Commissioner of [Public Works] Construction Services may  
453 disqualify any contractor, for up to two years, from bidding on,  
454 applying for, or participating as a subcontractor under, contracts with  
455 the state, acting through any of its departments, commissions or other  
456 agencies, except the Department of Administrative Services, the  
457 Department of Transportation and the constituent units of the state  
458 system of higher education, for one or more causes set forth under  
459 subsection (d) of this section. The commissioner may initiate a  
460 disqualification proceeding only after consulting with the contract  
461 awarding agency, if any, and the Attorney General and shall provide  
462 notice and an opportunity for a hearing to the contractor who is the  
463 subject of the proceeding. The hearing shall be conducted in  
464 accordance with the contested case procedures set forth in chapter 54.  
465 The commissioner shall issue a written decision within ninety days of  
466 the last date of such hearing and state in the decision the reasons for  
467 the action taken and, if the contractor is being disqualified, the period  
468 of such disqualification. The existence of a cause for disqualification  
469 shall not be the sole factor to be considered in determining whether the  
470 contractor shall be disqualified. In determining whether to disqualify a  
471 contractor, the commissioner shall consider the seriousness of the  
472 contractor's acts or omissions and any mitigating factors. The  
473 commissioner shall send the decision to the contractor by certified  
474 mail, return receipt requested. The written decision shall be a final  
475 decision for the purposes of sections 4-180 and 4-183.

476 Sec. 19. Section 31-390 of the general statutes is repealed and the  
477 following is substituted in lieu thereof (*Effective July 1, 2011*):

478 (a) The Labor Commissioner and the Commissioners of Economic  
479 and Community Development and [Public Works] Construction

480 Services shall have the right of inspection of any such project at any  
481 time.

482 (b) The Labor Commissioner and the Commissioners of Economic  
483 and Community Development and [Public Works] Construction  
484 Services and the Secretary of the Office of Policy and Management are  
485 authorized to make orders, establish guidelines and adopt regulations  
486 under the provisions of chapter 54 with respect to the implementation  
487 of this chapter.

488 (c) At the request of the commissioners, any agency or department  
489 of the executive branch shall advise and assist the commissioners in  
490 the implementation of this chapter.

491 Sec. 20. Section 46a-68 of the general statutes is repealed and the  
492 following is substituted in lieu thereof (*Effective from passage*):

493 (a) Each state agency, department, board and commission with  
494 more than twenty-five full-time employees shall develop and  
495 implement [, in cooperation with the Commission on Human Rights  
496 and Opportunities,] an affirmative action plan that commits the  
497 agency, department, board or commission to a program of affirmative  
498 action in all aspects of personnel and administration. [Such plan shall  
499 be developed pursuant to regulations adopted by the Commission on  
500 Human Rights and Opportunities in accordance with chapter 54 to  
501 ensure that affirmative action is undertaken as required by state and  
502 federal law to provide equal employment opportunities and to comply  
503 with all responsibilities under the provisions of sections 4-61u to 4-  
504 61w, inclusive, sections 46a-54 to 46a-64, inclusive, section 46a-64c and  
505 sections 46a-70 to 46a-78, inclusive.] Such plan shall describe the efforts  
506 of the agency, department, board or commission to provide equal  
507 employment opportunities and to comply with all requirements under  
508 state and federal nondiscrimination laws, and shall include the race,  
509 gender, occupational category and age of all full-time employees of  
510 such agency, department, board or commission. The executive head of  
511 each such agency, department, board or commission shall be directly



512 responsible for the development, filing and implementation of such  
513 affirmative action plan. The Metropolitan District of Hartford County  
514 shall be deemed to be a state agency for purposes of this section.

515 (b) (1) Each state agency, department, board or commission shall  
516 designate a full-time or part-time [affirmative action] equal  
517 employment opportunity officer. If such [affirmative action] equal  
518 employment opportunity officer is an employee of the agency,  
519 department, board or commission, the executive head of the agency,  
520 department, board or commission shall be directly responsible for the  
521 supervision of the officer.

522 [(2) The Commission on Human Rights and Opportunities shall  
523 provide training and technical assistance to affirmative action officers  
524 in plan development and implementation.]

525 [(3)] (2) The Commission on Human Rights and Opportunities and  
526 the Permanent Commission on the Status of Women shall provide  
527 training concerning state and federal discrimination laws and  
528 techniques for conducting investigations of discrimination complaints  
529 to persons designated by state agencies, departments, boards or  
530 commissions as [affirmative action] equal employment opportunity  
531 officers and persons designated by the Attorney General or the  
532 Attorney General's designee to represent such agencies, departments,  
533 boards or commissions pursuant to subdivision [(5)] (4) of this  
534 subsection. [Such] On or after October 1, 2011, such training shall be  
535 provided for a minimum of [ten] five hours during the first year of  
536 service or designation, and a minimum of [five] three hours [per year]  
537 every two years thereafter.

538 [(4)] (3) (A) Each person designated by a state agency, department,  
539 board or commission as an [affirmative action] equal employment  
540 opportunity officer shall (i) be responsible for mitigating any  
541 discriminatory conduct within the agency, department, board or  
542 commission, (ii) investigate all internal complaints of discrimination  
543 made against the state agency, department, board or commission, and

544 (iii) report all findings and recommendations upon the conclusion of  
545 an investigation to the commissioner or director of the state agency,  
546 department, board or commission for proper action.

547 (B) Notwithstanding the provisions of subparagraphs (A)(i), (A)(ii)  
548 and (A)(iii) of this subdivision, if [a] an internal discrimination  
549 complaint is made against the executive head of a state agency or  
550 department, any member of a state board or commission or any  
551 [affirmative action] equal employment opportunity officer alleging  
552 that the executive head, member or officer directly or personally  
553 engaged in discriminatory conduct, or if a complaint of discrimination  
554 is made by the executive head of a state agency, any member of a state  
555 board or commission or any affirmative action officer, the complaint  
556 shall be referred to the Commission on Human Rights and  
557 Opportunities for review and, if appropriate, investigation by the  
558 Department of Administrative Services. If the internal discrimination  
559 complaint is made by or against the executive head, any member or  
560 the [affirmative action] equal employment opportunity officer of the  
561 Commission on Human Rights and Opportunities alleging that the  
562 executive head, member or officer directly or personally engaged in  
563 discriminatory conduct, the commission shall refer the complaint to  
564 the Department of Administrative Services for review and, if  
565 appropriate, investigation. If the complaint is by or against the  
566 executive head or [affirmative action] equal employment opportunity  
567 officer of the Department of Administrative Services, the complaint  
568 shall be referred to the Commission on Human Rights and  
569 Opportunities for review and, if appropriate, investigation. Each  
570 person who conducts an investigation pursuant to this subparagraph  
571 shall report all findings and recommendations upon the conclusion of  
572 such investigation to the appointing authority of the individual who  
573 was the subject of the complaint for proper action. The provisions of  
574 this subparagraph shall apply to any such complaint pending on or  
575 after July 5, 2007.

576 [(5)] (4) Each person designated by a state agency, department,  
577 board or commission as an [affirmative action] equal employment

578 opportunity officer, and each person designated by the Attorney  
579 General or the Attorney General's designee to represent an agency  
580 pursuant to subdivision [(6)] (5) of this subsection, shall complete  
581 training provided by the Commission on Human Rights and  
582 Opportunities and the Permanent Commission on the Status of  
583 Women pursuant to subdivision [(3)] (2) of this subsection.

584 [(6)] (5) No person designated by a state agency, department, board  
585 or commission as an [affirmative action] equal employment  
586 opportunity officer shall represent such agency, department, board or  
587 commission before the Commission on Human Rights and  
588 Opportunities or the Equal Employment Opportunity Commission  
589 concerning a discrimination complaint. If a discrimination complaint is  
590 filed with the Commission on Human Rights and Opportunities or the  
591 Equal Employment Opportunity Commission against a state agency,  
592 department, board or commission, the Attorney General, or the  
593 Attorney General's designee, other than the [affirmative action] equal  
594 employment opportunity officer for such agency, department, board or  
595 commission, shall represent the state agency, department, board or  
596 commission before the Commission on Human Rights and  
597 Opportunities or the Equal Employment Opportunity Commission. In  
598 the case of a discrimination complaint filed against the Metropolitan  
599 District of Hartford County, the Attorney General, or the Attorney  
600 General's designee, shall not represent such district before the  
601 Commission on Human Rights and Opportunities or the Equal  
602 Employment Opportunity Commission.

603 (c) Each state agency, department, board and commission that  
604 employs one hundred or more full-time employees shall file an  
605 affirmative action plan developed in accordance with subsection (a) of  
606 this section, electronically with the [Commission on Human Rights  
607 and Opportunities] Department of Administrative Services,  
608 semiannually, except that any state agency, department, board or  
609 commission which has an affirmative action plan approved by the  
610 [commission] department may be permitted to file its plan on an  
611 annual basis in a manner prescribed by the [commission and any]

612 department. Any state agency, department, board or commission that  
613 employs [twenty or fewer] more than twenty-five but fewer than one  
614 hundred full-time employees shall file its affirmative action plan  
615 biennially, unless the department disapproves the most recent  
616 submission of the plan, in which case the department may require the  
617 resubmission of such plan by a time chosen by the department, until  
618 the plan is approved. All affirmative action plans shall be on such form  
619 and in such manner as the department prescribes.

620 (d) The [Commission on Human Rights and Opportunities]  
621 Department of Administrative Services shall review and formally  
622 approve, conditionally approve or disapprove the content of such  
623 affirmative action plans within ninety days of the submission of each  
624 plan to the [commission] department. If the [commissioners, by a  
625 majority vote of those present and voting, fail] department fails to  
626 approve, conditionally approve or disapprove a plan within [that]  
627 such period, the plan shall be deemed to be approved. Any plan that is  
628 filed more than ninety days after the date such plan is due to be filed  
629 shall be deemed disapproved.

630 (e) The Commissioner of Administrative Services and the Secretary  
631 of the Office of Policy and Management shall [cooperate with the  
632 Commission on Human Rights and Opportunities to] insure that the  
633 State Personnel Act and personnel regulations are administered, and  
634 that the process of collective bargaining is conducted by all parties in a  
635 manner consistent with the affirmative action responsibilities of the  
636 state.

637 (f) The [Commission on Human Rights and Opportunities]  
638 Department of Administrative Services shall monitor the activity of  
639 such plans within each state agency, department, board and  
640 commission and report to the Governor and the General Assembly on  
641 or before April first of each year concerning the results of such plans.

642 [(g) The Commission on Human Rights and Opportunities shall  
643 adopt regulations, in accordance with chapter 54, to carry out the

644 requirements of this section. Such regulations shall include a schedule  
645 for semiannual, annual and biennial filing of plans.]

646 Sec. 21. Section 10a-11 of the general statutes is repealed and the  
647 following is substituted in lieu thereof (*Effective from passage*):

648 (a) The Board of Governors of Higher Education shall, in  
649 consultation with the institutions of the state system of higher  
650 education and the constituent unit boards of trustees, develop a  
651 strategic plan, consistent with the affirmative action plan submitted to  
652 the [Commission on Human Rights and Opportunities] Department of  
653 Administrative Services in accordance with section 46a-68, as amended  
654 by this act, to ensure that students, faculty, administrators and staff at  
655 each institution are representative of the racial and ethnic diversity of  
656 the total population of the state. For each institution there shall be an  
657 approved plan which shall include goals, programs and timetables for  
658 achieving those goals, and a procedure to monitor annually the results  
659 of these programs and a procedure to take corrective action if  
660 necessary. The Board of Governors of Higher Education shall also  
661 develop policies to guide [affirmative action] equal employment  
662 opportunity officers and programs in all constituent units and at each  
663 institution of public higher education.

664 (b) The Board of Governors of Higher Education shall report  
665 annually to the Governor and General Assembly on the activities  
666 undertaken by the board in accordance with subsection (a) of this  
667 section. The report shall include institutional goals and plans for  
668 attaining such goals, as well as changes in enrollment and employment  
669 at the state's institutions of public higher education. If it is determined  
670 that an institution has failed to achieve the goals set out pursuant to  
671 this section, such institution shall develop a plan of corrective  
672 procedures to ensure that such goals are achieved, subject to the  
673 approval of the Board of Governors of Higher Education. The Board of  
674 Governors of Higher Education may establish a minority advancement  
675 program to reward and support efforts by institutions within the state  
676 system of higher education towards meeting the goals established in

677 the strategic plan developed pursuant to subsection (a) of this section.

678 Sec. 22. Subdivision (17) of section 46a-54 of the general statutes is  
679 repealed and the following is substituted in lieu thereof (*Effective from*  
680 *passage*):

681 (17) To require each agency to submit information demonstrating its  
682 compliance with subdivision (16) of this section [as part of its  
683 affirmative action plan] and to receive and investigate complaints  
684 concerning the failure of a state agency to comply with the  
685 requirements of subdivision (16) of this section; and

686 Sec. 23. Section 46a-82 of the general statutes is repealed and the  
687 following is substituted in lieu thereof (*Effective from passage*):

688 (a) Any person claiming to be aggrieved by an alleged  
689 discriminatory practice, except for an alleged violation of section 4a-  
690 60g or 46a-68, as amended by this act, or the provisions of sections 46a-  
691 68c to 46a-68f, inclusive, may, by himself or herself or by such person's  
692 attorney, make, sign and file with the commission a complaint in  
693 writing under oath, which shall state the name and address of the  
694 person alleged to have committed the discriminatory practice, and  
695 which shall set forth the particulars thereof and contain such other  
696 information as may be required by the commission. After the filing of a  
697 complaint pursuant to this subsection, the commission shall serve  
698 upon the person claiming to be aggrieved a notice that: (1)  
699 Acknowledges receipt of the complaint; and (2) advises of the time  
700 frames and choice of forums available under this chapter.

701 (b) The commission, whenever it has reason to believe that any  
702 person has been engaged or is engaged in a discriminatory practice,  
703 may issue a complaint, except for a violation of subsection (a) of  
704 section 46a-80.

705 (c) The commission, whenever it has reason to believe that any  
706 contractor or subcontractor is not complying with antidiscrimination  
707 statutes or contract provisions required under section 4a-60, 4a-60a or

708 4a-60g, or the provisions of sections 46a-68c to 46a-68f, inclusive, may  
709 issue a complaint.

710 [(d) The commission may issue a complaint if: (1) An affirmative  
711 action plan filed pursuant to section 46a-68 is in violation of any of the  
712 provisions of section 4-61u or 4-61w, sections 46a-54 to 46a-64,  
713 inclusive, section 46a-64c or sections 46a-70 to 46a-78, inclusive; or (2)  
714 an agency, department, board or commission fails to submit an  
715 affirmative action plan required under section 46a-68.]

716 [(e)] (d) Any employer whose employees, or any of them, refuse or  
717 threaten to refuse to comply with the provisions of section 46a-60 or  
718 46a-81c may file with the commission a written complaint under oath  
719 asking for assistance by conciliation or other remedial action.

720 [(f)] (e) Any complaint filed pursuant to this section must be filed  
721 within one hundred and eighty days after the alleged act of  
722 discrimination, except that any complaint by a person claiming to be  
723 aggrieved by a violation of subsection (a) of section 46a-80 must be  
724 filed within thirty days of the alleged act of discrimination.

725 Sec. 24. Section 46a-68a of the general statutes is repealed and the  
726 following is substituted in lieu thereof (*Effective from passage*):

727 (a) The [commission] Commissioner of Administrative Services may  
728 issue a certificate of noncompliance if the affirmative action plan  
729 required by section 46a-68, as amended by this act, is disapproved.

730 (b) The issuance of a certificate of noncompliance shall bar the  
731 agency, department, board or commission in noncompliance with  
732 section 46a-68, as amended by this act, from filling a position or  
733 position classification by hire or promotion upon receipt of the  
734 certificate, the provisions of any state law or regulation to the contrary  
735 notwithstanding, until: (1) The [commission] Commissioner of  
736 Administrative Services determines that the agency has achieved  
737 compliance with section 46a-68, as amended by this act, and  
738 withdraws the certificate; or (2) the [commission] Commissioner of

739 Administrative Services, at a hearing requested by the agency,  
740 department, board or commission receiving the certificate and  
741 conducted by a presiding officer appointed by the [chairperson of the  
742 commission] commissioner, is unable to show cause why the certificate  
743 of noncompliance should not be rescinded or a court, upon appeal, so  
744 determines; or (3) [the Commissioner of Administrative Services and]  
745 the Secretary of the Office of Policy and Management [certify] certifies  
746 to the [commission] commissioner that the agency in noncompliance  
747 with section 46a-68, as amended by this act, requires immediate filling  
748 of the vacancy because failure to fill the position or position  
749 classification will cause an emergency situation to exist jeopardizing  
750 the public welfare. A separate certificate of exemption shall be  
751 required for each vacancy in a position or position classification with  
752 respect to which the [Commissioner of Administrative Services and  
753 the] Secretary of the Office of Policy and Management [certify] certifies  
754 that an emergency situation exists.

755 (c) Hearings under this section shall be conducted in accordance  
756 with sections 4-176e to 4-182, inclusive.

757 (d) The [commission shall] Commissioner of Administrative  
758 Services may adopt regulations in accordance with chapter 54 to  
759 implement this section.

760 Sec. 25. (NEW) (*Effective July 1, 2011*) (a) The Department of  
761 Administrative Services shall assume all responsibilities of the  
762 Department of Information Technology pursuant to any provision of  
763 the general statutes. The transfer of functions, personnel, powers,  
764 duties, obligations, including, but not limited to, contract obligations,  
765 the continuance of orders and regulations, the effect upon pending  
766 actions and proceedings, the completion of unfinished business, and  
767 the transfer of records and property between the Department of  
768 Information Technology, as said department existed immediately prior  
769 to July 1, 2011, and the Department of Administrative Services shall be  
770 governed by the provisions of sections 4-38d, 4-38e and 4-39 of the  
771 general statutes. The Department of Administrative Services shall



772 constitute a successor and not a new authority.

773 (b) Wherever the words "Department of Information Technology"  
774 are used or referred to in any public or special acts, the words  
775 "Department of Administrative Services" shall be substituted in lieu  
776 thereof.

777 (c) Wherever the term "Chief Information Officer" is used or  
778 referred to in any public or special acts, the term "Commissioner of  
779 Administrative Services" shall be substituted in lieu thereof.

780 (d) Any order or regulation of the Department of Information  
781 Technology, which is in force on July 1, 2011, shall continue in force  
782 and effect as an order or regulation of the Department of  
783 Administrative Services until amended, repealed or superseded  
784 pursuant to law. Where any order or regulation of said departments  
785 conflict, the Commissioner of Administrative Services may implement  
786 policies and procedures consistent with the provisions of this act while  
787 in the process of adopting the policy or procedure in regulation form,  
788 provided notice of intention to adopt regulations is printed in the  
789 Connecticut Law Journal within twenty days of implementation. The  
790 policy or procedure shall be valid until the time final regulations are  
791 effective.

792 Sec. 26. (NEW) (*Effective July 1, 2011*) On and after July 1, 2011, (1)  
793 "Commissioner of Administrative Services" shall be substituted for  
794 "Chief Information Officer" and "Chief Information Officer of the  
795 Department of Information Technology, and (2) "Department of  
796 Administrative Services" shall be substituted for "Department of  
797 Information Technology", in the following sections of the general  
798 statutes: 1-205, 1-211, 1-212, 1-283, 4d-3, 4d-5, 4d-10, 4d-11, 4d-13, 4d-  
799 14, 4d-32, 4d-38, 4d-41, 4d-42, 4d-43, 4d-81a, 4d-82a, 4d-83, 4d-84, 10-  
800 5b, 10-10a, 18-81x, 19a-110, 19a-750, 32-6i, 54-105a, 54-142q, 54-142r and  
801 54-142s.

802 Sec. 27. Section 4d-1 of the general statutes is repealed and the  
803 following is substituted in lieu thereof (*Effective July 1, 2011*):

804 As used in this chapter, unless the context indicates a different  
805 meaning:

806 (1) "Architecture" means the defined structure or orderly  
807 arrangement of information systems and telecommunication systems,  
808 based on accepted industry standards and guidelines, for the purpose  
809 of maximizing the interconnection and efficiency of such systems and  
810 the ability of users to share information resources.

811 (2) "Information systems" means the combination of data processing  
812 hardware and software in the collection, processing and distribution of  
813 data to and from interactive computer-based systems to meet  
814 informational needs.

815 (3) "State agency" means each department, board, council,  
816 commission, institution or other agency of the Executive Department  
817 of the state government, provided each board, council, commission,  
818 institution or other agency included by law within any given  
819 department shall be deemed a division of that department. The term  
820 "state agency" shall include (A) the offices of the Governor, Lieutenant  
821 Governor, Treasurer, Attorney General, Secretary of the State and  
822 Comptroller, and (B) all operations of an Executive Department agency  
823 which are funded by either the General Fund or a special fund.

824 (4) "Telecommunication systems" means telephone equipment and  
825 transmission facilities, either alone or in combination with information  
826 systems, for the electronic distribution of all forms of information,  
827 including voice, data and images.

828 [(5) "Chief Information Officer" means the department head for the  
829 Department of Information Technology.]

830 (5) "Commissioner" means the Commissioner of Administrative  
831 Services.

832 Sec. 28. Section 4d-2 of the general statutes is repealed and the  
833 following is substituted in lieu thereof (*Effective July 1, 2011*):

834 (a) There is established the [Department] Division of Information  
835 Technology within the Department of Administrative Services. [The  
836 Department of Information Technology shall be administered by a  
837 Chief Information Officer, who shall be an individual knowledgeable  
838 with respect to information and telecommunication systems. The Chief  
839 Information Officer shall be appointed by the Governor in accordance  
840 with the provisions of sections 4-5 to 4-8, inclusive, with the powers  
841 and duties prescribed in said sections.

842 (b) The Department of Information Technology shall constitute a  
843 successor department to the Office of Information and Technology, in  
844 accordance with the provisions of sections 4-38d, 4-38e and 4-39.]

845 [(c)] (b) The [Chief Information Officer] Commissioner of  
846 Administrative Services shall: (1) [Develop and implement an  
847 integrated set of policies and architecture pertaining to information  
848 and telecommunication systems for state agencies; (2) develop a series  
849 of comprehensive standards and planning guidelines pertaining to the  
850 development, acquisition, implementation, and oversight and  
851 management of information and telecommunication systems for state  
852 agencies; (3) identify] Identify and implement (A) optimal information  
853 and telecommunication systems to efficiently service the needs of state  
854 agencies, and (B) opportunities for reducing costs for such systems;  
855 [(4)] (2) approve or disapprove, in accordance with guidelines  
856 established by the [Chief Information Officer] commissioner, each  
857 proposed state agency acquisition of hardware or software for an  
858 information or telecommunication system, except for (A) hardware or  
859 software having a cost of less than twenty thousand dollars, or (B)  
860 hardware or software having a cost of twenty thousand dollars or  
861 more, but less than one hundred thousand dollars, which is for a  
862 project that complies with the agency's business systems plan as  
863 approved by the [Chief Information Officer] commissioner; [(5)] (3)  
864 approve or disapprove, in accordance with guidelines established by  
865 the [Chief Information Officer] commissioner, all state agency requests  
866 or proposed contracts for consultants for information and  
867 telecommunication systems; [(6)] (4) be responsible for purchasing,

868 leasing and contracting for all information system and  
869 telecommunication system facilities, equipment and services for state  
870 agencies, in accordance with the provisions of subsection (a) of section  
871 4d-8, except for the offices of the Governor, Lieutenant Governor,  
872 Treasurer, Attorney General, Secretary of the State and Comptroller;  
873 [(7)] (5) review existing and new information and telecommunication  
874 system technologies to ensure consistency with the strategic plan  
875 established under section 4d-7, as amended by this act, and approved  
876 state agency architecture and make recommendations to the  
877 Standardization Committee established under section 4a-58 for review  
878 and appropriate action; [(8)] (6) cooperate with the General Assembly,  
879 the Judicial Department and the constituent units of the state system of  
880 higher education in assessing opportunities for cost savings and  
881 greater sharing of information resources which could result if such  
882 entities acquire information and telecommunication systems similar to  
883 those of state agencies; [(9)] (7) ensure state-wide implementation of  
884 the 9-1-1 and E 9-1-1 systems; and [(10)] (8) report annually, on or  
885 before February fifteenth, in accordance with section 11-4a, to the joint  
886 standing committees of the General Assembly having cognizance of  
887 matters relating to appropriations and the budgets of state agencies  
888 and government administration and elections on all technology  
889 projects on which the department is working or that the department  
890 plans to undertake.

891 [(d)] (c) The Department of [Information Technology]  
892 Administrative Services shall approve or disapprove a state agency  
893 request or proposed contract under subdivision [(4) or (5)] (2) or (3) of  
894 subsection (c) of this section no later than seven business days after  
895 receipt of the request or proposed contract and any necessary  
896 supporting information. If the Department of [Information  
897 Technology] Administrative Services does not approve or disapprove  
898 the request or proposed contract by the end of such seven-day period,  
899 the request or proposed contract shall be deemed to have been  
900 approved. The provisions of said subdivision [(5)] (3) shall not apply to  
901 telecommunication consultants retained by the Department of Public

902 Utility Control or the Office of Consumer Counsel in connection with  
903 telecommunication proceedings of said department.

904 Sec. 29. Section 4d-7 of the general statutes is repealed and the  
905 following is substituted in lieu thereof (*Effective July 1, 2011*):

906 (a) The [Chief Information Officer] Commissioner of Administrative  
907 Services shall develop, publish and annually update an information  
908 and telecommunication systems strategic plan, in accordance with the  
909 policies established by the Office of Policy and Management, which  
910 shall have the following goals: (1) To provide a level of voice and data  
911 communications service among all state agencies that will ensure the  
912 effective and efficient completion of their respective functions; (2) [to  
913 establish a direction for the collection, storage, management and use of  
914 information by state agencies in an efficient manner; (3) to develop a  
915 comprehensive information policy for state agencies that clearly  
916 articulates (A) the state's commitment to the sharing of its information  
917 resources, (B) the relationship of such resources to library and other  
918 information resources in the state, and (C) a philosophy of equal access  
919 to information; (4)] to provide all necessary telecommunication  
920 services between state agencies and the public; [(5)] (3) to provide, in  
921 the event of an emergency, immediate voice and data communications  
922 and critical application recovery capabilities which are necessary to  
923 support state agency functions; and [(6)] (4) to provide necessary  
924 access to higher technology for state agencies.

925 (b) In order to facilitate the development of a fully integrated state-  
926 wide information services and telecommunication system which  
927 effectively and efficiently supports data processing and  
928 telecommunication requirements of all state agencies, the strategic  
929 plan shall include: (1) Establishment of guidelines and standards for  
930 the architecture for information and telecommunication systems which  
931 support state agencies; (2) plans for a cost-effective state-wide  
932 telecommunication network to support state agencies, which network  
933 may consist of different types of transmission media, including wire,  
934 fiber and radio, and shall be able to support voice, data, video and

935 facsimile transmission requirements and any other form of information  
936 exchange which takes place via electromagnetic media; (3) a level of  
937 information systems and telecommunication planning for all state  
938 agencies and operations throughout the state that will ensure the  
939 effective and efficient utilization and access to the state's information  
940 and telecommunication resources, including but not limited to, (A) an  
941 inventory of existing on-line public access arrangements for state  
942 agency data bases which contain information subject to disclosure  
943 under the Freedom of Information Act, as defined in section 1-200, (B)  
944 a list of data bases for which such access could be provided, including  
945 data bases containing consumer, business and health and human  
946 services program information, (C) provisions addressing the feasibility  
947 and cost of providing such access, (D) provisions for a public-private  
948 partnership in providing such on-line access, and (E) provisions to  
949 enable citizens to communicate with state agencies by electronic mail;  
950 and (4) identification of annual expenditures and major capital  
951 commitments for information and telecommunication systems. [; and  
952 (5) a direction and policy planning pertaining to the infusion of new  
953 technology for such systems for state agencies.] In carrying out the  
954 provisions of subparagraphs (A) to (E), inclusive, of subdivision (3) of  
955 this subsection, the [Chief Information Officer] Commissioner of  
956 Administrative Services shall consult with representatives of business  
957 associations, consumer organizations and nonprofit human services  
958 providers.

959 (c) Each state agency shall submit to the [Chief Information Officer]  
960 Commissioner of Administrative Services all plans, documents and  
961 other information requested by the [Chief Information Officer]  
962 commissioner for the development of such plan.

963 (d) The [Chief Information Officer] Commissioner of Administrative  
964 Services shall not implement a state agency proposal for information  
965 system hardware, software, maintenance service or consulting unless  
966 such proposal complies with the strategic plan and the agency's  
967 approved business systems plan. The [Chief Information Officer]  
968 commissioner shall maintain a current inventory of information

969 system components to facilitate asset management and procurement  
970 leverage.

971 Sec. 30. Section 4d-8 of the general statutes is repealed and the  
972 following is substituted in lieu thereof (*Effective July 1, 2011*):

973 (a) The provisions of title 4a shall apply to the purchasing, leasing  
974 and contracting for information system and telecommunication system  
975 facilities, equipment and services. [by the Chief Information Officer,  
976 except that (1) the Chief Information Officer shall have the powers and  
977 duties that are assigned by said title 4a to the Commissioner of  
978 Administrative Services and (2) the Chief Information Officer] The  
979 Commissioner of Administrative Services may use competitive  
980 negotiation, as defined in section 4a-50, to purchase or contract for  
981 such facilities, equipment and services after making a written  
982 determination, including the reasons therefor, that such action is in the  
983 best interest of the state. The [Chief Information Officer] commissioner  
984 shall adopt regulations, in accordance with the provisions of chapter  
985 54, establishing objective standards for determining when such  
986 competitive negotiation may be used instead of competitive bidding,  
987 including whether the character of the facilities, equipment or services  
988 is more important than their relative cost.

989 (b) (1) As used in this subsection, "information technology personal  
990 property" includes, but is not limited to, electronic data processing  
991 equipment, other equipment necessary for the utilization of  
992 information systems, telecommunication equipment or installations,  
993 and other equipment necessary for the utilization of  
994 telecommunication systems.

995 (2) Notwithstanding any provision of the general statutes to the  
996 contrary, the [Chief Information Officer] Commissioner of  
997 Administrative Services may sell, lease or otherwise dispose of  
998 information technology personal property. The [Chief Information  
999 Officer] commissioner may execute personal service agreements or  
1000 other contracts with outside vendors for such purposes. If any such

1001 information technology personal property was purchased or improved  
1002 with the proceeds of tax-exempt obligations issued or to be issued by  
1003 the state, the [Chief Information Officer] commissioner shall notify the  
1004 State Treasurer and obtain the approval of the State Treasurer, before  
1005 selling, leasing or disposing of the personal property or executing such  
1006 an agreement or contract for such purpose. The State Treasurer may  
1007 disapprove such sale, lease, disposition, agreement or contract only if  
1008 it would affect the tax-exempt status of such obligations and could not  
1009 be modified to maintain such tax-exempt status.

1010 Sec. 31. Section 4d-9 of the general statutes is repealed and the  
1011 following is substituted in lieu thereof (*Effective July 1, 2011*):

1012 There shall be a Technical Services Revolving Fund in the  
1013 Department of [Information Technology] Administrative Services for  
1014 the purchase, installation and utilization of information systems, as  
1015 defined in section 4d-1, as amended by this act, for budgeted agencies  
1016 of the state. The [Chief Information Officer] Commissioner of  
1017 Administrative Services and the Secretary of the Office of Policy and  
1018 Management shall jointly be responsible for the administration of such  
1019 fund. Said [officer] commissioner and secretary shall develop  
1020 appropriate review procedures and accountability standards for such  
1021 fund and measures for determining the performance of the fund in  
1022 carrying out the purposes of this part.

1023 Sec. 32. Section 4d-12 of the general statutes is repealed and the  
1024 following is substituted in lieu thereof (*Effective July 1, 2011*):

1025 (a) The [Chief Information Officer] Commissioner of Administrative  
1026 Services may establish such committees as he deems necessary to  
1027 advise said [office] commissioner in carrying out the purposes of  
1028 sections 4d-1 to 4d-5, inclusive, as amended by this act, section 4d-7, as  
1029 amended by this act, and sections 4d-11 to 4d-14, inclusive, as  
1030 amended by this act.

1031 (b) There is established an information and telecommunication  
1032 systems executive steering committee consisting of the [Chief



1033 Information Officer] Commissioner of Administrative Services, the  
1034 Secretary of the Office of Policy and Management, the Comptroller, the  
1035 Treasurer [, the Commissioner of Administrative Services] and the  
1036 chairperson of the board of trustees of each constituent unit of the state  
1037 system of higher education, or their designees. The [Chief Information  
1038 Officer] Commissioner of Administrative Services, or [his] a designee,  
1039 shall serve as [chairman] chairperson of the committee. The  
1040 Department of [Information Technology] Administrative Services shall  
1041 serve as staff to the committee. The committee shall (1) review and  
1042 approve or disapprove the annual information and telecommunication  
1043 systems strategic plan developed under section 4d-7, as amended by  
1044 this act, state agency estimates of expenditure requirements for  
1045 information and telecommunication systems established under section  
1046 4d-11, as amended by this act, and major telecommunication  
1047 initiatives, (2) review, in consultation with the Department of  
1048 [Information Technology] Administrative Services, and approve or  
1049 disapprove variances to (A) the list of approved architectural  
1050 components for information and telecommunication systems for state  
1051 agencies, (B) the strategic plan, and (C) appropriations for information  
1052 and telecommunication systems, and (3) advise the Department of  
1053 [Information Technology] Administrative Services on the organization  
1054 and functions of the department. The committee shall submit a report  
1055 on each approved variance to the General Assembly. Such report shall  
1056 include the reasons for the variance and the results of a cost-benefit  
1057 analysis on the variance.

1058 Sec. 33. Subsection (a) of section 4d-45 of the general statutes is  
1059 repealed and the following is substituted in lieu thereof (*Effective July*  
1060 *1, 2011*):

1061 (a) No contracts or amendments to contracts for information system  
1062 or telecommunication system facilities, equipment or services, which  
1063 are entered into by any state agency (1) pursuant to the request for  
1064 proposal issued by the Department of Administrative Services dated  
1065 February 21, 1997, or (2) in the event such request for proposal is  
1066 withdrawn, suspended or superseded, pursuant to any similar request

1067 for proposal issued by the Department of Administrative Services, [or  
1068 the Department of Information Technology,] shall be effective except  
1069 as provided in this section and sections 4d-46 and 4d-47.

1070 Sec. 34. Subsection (a) of section 4d-80 of the general statutes is  
1071 repealed and the following is substituted in lieu thereof (*Effective July*  
1072 *1, 2011*):

1073 (a) There is established a Commission for Educational Technology  
1074 within the Department of [Information Technology] Administrative  
1075 Services for administrative purposes only. The commission shall  
1076 consist of: (1) The [Chief Information Officer of the Department of  
1077 Information Technology] Commissioner of Administrative Services, or  
1078 the [Chief Information Officer's] commissioner's designee, the  
1079 Commissioners of Education and Higher Education, or their designees,  
1080 the State Librarian, or the State Librarian's designee, the chairperson of  
1081 the Department of Public Utility Control, or the chairperson's  
1082 designee, the chief executive officers of the constituent units of the  
1083 state system of higher education, or their designees, (2) one member  
1084 each representing the Connecticut Conference of Independent  
1085 Colleges, the Connecticut Association of Boards of Education, the  
1086 Connecticut Association of Public School Superintendents, the  
1087 Connecticut Educators Computer Association, and the Connecticut  
1088 Library Association, (3) a secondary school teacher designated by the  
1089 Connecticut Education Association and an elementary school teacher  
1090 designated by the Connecticut Federation of Educational and  
1091 Professional Employees, and (4) four members who represent business  
1092 and have expertise in information technology, one each appointed by  
1093 the Governor, the Lieutenant Governor, the speaker of the House of  
1094 Representatives and the president pro tempore of the Senate. The  
1095 Lieutenant Governor shall convene the first meeting of the commission  
1096 on or before September 1, 2000.

1097 Sec. 35. Subsection (c) of section 4e-13 of the general statutes is  
1098 repealed and the following is substituted in lieu thereof (*Effective July*  
1099 *1, 2011*):

1100 (c) All state agencies in the executive branch, the constituent units of  
1101 the state system of higher education and quasi-public agencies shall  
1102 post all bids, requests for proposals and all resulting contracts and  
1103 agreements on the State Contracting Portal and shall, with the  
1104 assistance of the Department of Administrative Services [and the  
1105 Department of Information Technology] as needed, develop the  
1106 infrastructure and capability to electronically communicate with the  
1107 State Contracting Portal.

1108 Sec. 36. Subsection (a) of section 10a-151b of the general statutes is  
1109 repealed and the following is substituted in lieu thereof (*Effective July*  
1110 *1, 2011*):

1111 (a) Notwithstanding the provisions of chapter 58, and sections 4-98,  
1112 4a-4, 4a-5, 4a-6, 4d-2, and 4d-5 to the contrary, a chief executive officer  
1113 may purchase equipment, supplies and contractual services, execute  
1114 personal service agreements, as defined in section 4-212, or lease  
1115 personal property compatible, where relevant, with standards for  
1116 computer architecture established by the Department of [Information  
1117 Technology] Administrative Services, without the approval of the  
1118 Comptroller [,] or the Commissioner of Administrative Services, [or  
1119 the Chief Information Officer,] provided the Chief Executive Officer  
1120 consults with the [Chief Information Officer] commissioner and such  
1121 purchases are made in accordance with this section and in accordance  
1122 with policies which are (1) adopted by the board of trustees of the  
1123 constituent unit after reasonable opportunity for interested persons to  
1124 present their views, and (2) subject to section 4-175. For purposes of  
1125 this section, "chief executive officer" means the chief executive officer  
1126 of a constituent unit of the state system of higher education or the chief  
1127 executive officer of an institution within the jurisdiction of such a  
1128 constituent unit. The provisions of sections 4-212 to 4-219, inclusive,  
1129 and section 9 of public act 93-336 shall not apply to personal service  
1130 agreements executed pursuant to this section.

1131 Sec. 37. Section 14-42a of the general statutes is repealed and the  
1132 following is substituted in lieu thereof (*Effective July 1, 2011*):

1133 (a) The Commissioner of Motor Vehicles and the [Chief Information  
1134 Officer of the Department of Information Technology] Commissioner  
1135 of Administrative Services shall enter into an agreement with one or  
1136 more federally-designated organ and tissue procurement  
1137 organizations to provide to such organizations access to the names,  
1138 dates of birth and other pertinent information of holders of operator's  
1139 licenses and identity cards issued pursuant to section 1-1h who have  
1140 registered with the Department of Motor Vehicles an intent to become  
1141 organ and tissue donors. Such access shall be provided in a manner  
1142 and form to be determined by the [commissioner and Chief  
1143 Information Officer] commissioners, following consultation with such  
1144 organizations, and may include electronic transmission of initial  
1145 information and periodic updating of information. The [commissioner]  
1146 Commissioner of Motor Vehicles shall not charge a fee for such access  
1147 pursuant to section 14-50a, but may charge such organizations  
1148 reasonable administrative costs. Information provided to such  
1149 organizations shall be used solely for identifying such license holders  
1150 as organ and tissue donors.

1151 (b) The Commissioner of Motor Vehicles shall include in regulations  
1152 adopted pursuant to sections 14-36f and 14-78 a requirement that a  
1153 description of the purposes and procedures of procurement  
1154 organizations, as defined in section 19a-289a, be included in driver  
1155 education programs.

1156 Sec. 38. Section 19a-25e of the general statutes is repealed and the  
1157 following is substituted in lieu thereof (*Effective July 1, 2011*):

1158 (a) The Department of Public Health and The University of  
1159 Connecticut Health Center may, within available appropriations,  
1160 develop a Connecticut Health Information Network plan to securely  
1161 integrate state health and social services data, consistent with state and  
1162 federal privacy laws, within and across The University of Connecticut  
1163 Health Center and the Departments of Public Health, Developmental  
1164 Services and Children and Families. Data from other state agencies  
1165 may be integrated into the network as funding permits and as

1166 permissible under federal law.

1167 (b) The Department of Public Health and The Center for Public  
1168 Health and Health Policy at The University of Connecticut Health  
1169 Center shall collaborate with the Departments of [Information  
1170 Technology] Administrative Services, Developmental Services, and  
1171 Children and Families to develop the Connecticut Health Information  
1172 Network plan.

1173 (c) The plan shall: (1) Include research in and describe existing  
1174 health and human services data; (2) inventory the various health and  
1175 human services data aggregation initiatives currently underway; (3)  
1176 include a framework and options for the implementation of a  
1177 Connecticut Health Information Network, including query  
1178 functionality to obtain aggregate data on key health indicators within  
1179 the state; (4) identify and comply with confidentiality, security and  
1180 privacy standards; and (5) include a detailed cost estimate for  
1181 implementation and potential sources of funding.

1182 Sec. 39. (NEW) (*Effective July 1, 2011*) (a) There is established a  
1183 Department of Construction Services. The department head shall be  
1184 the Commissioner of Construction Services, who shall be appointed by  
1185 the Governor, in accordance with the provisions of sections 4-5 to 4-8,  
1186 inclusive, of the general statutes, as amended by this act, with the  
1187 powers and duties prescribed in said sections 4-5 to 4-8, inclusive.

1188 (b) The Department of Construction Services shall constitute a  
1189 successor department to the Department of Public Works in  
1190 accordance with the provisions of section 4-38d of the general statutes  
1191 with respect to those duties and functions of the Department of Public  
1192 Works concerning construction or maintenance of state buildings or  
1193 property pursuant to any provision of the general statutes. The transfer  
1194 of functions, personnel, powers, duties, obligations, including, but not  
1195 limited to, contract obligations, the continuance of orders and  
1196 regulations, the effect upon pending actions and proceedings, the  
1197 completion of unfinished business, and the transfer of records and

1198 property between the Department of Public Works, as said department  
1199 existed immediately prior to July 1, 2011, and the Department of  
1200 Construction Services shall be governed by the provisions of sections  
1201 4-38d, 4-38e and 4-39 of the general statutes.

1202 (c) The Department of Construction Services shall constitute a  
1203 successor department to the Department of Public Safety with respect  
1204 to the Division of Fire, Emergency and Building Services within the  
1205 Department of Public Safety. The transfer of functions, personnel,  
1206 powers, duties, obligations, including, but not limited to, contract  
1207 obligations, the continuance of orders and regulations, the effect upon  
1208 pending actions and proceedings, the completion of unfinished  
1209 business, and the transfer of records and property concerning said  
1210 division, between the Department of Public Safety and the Department  
1211 of Construction Services shall be governed by the provisions of  
1212 sections 4-38d, 4-38e and 4-39 of the general statutes.

1213 (d) Any order or regulation of (1) the Department of Public Works  
1214 concerning construction or maintenance of state buildings or property,  
1215 or (2) the Department of Public Safety pursuant to chapter 541 of the  
1216 general statutes, which is in force on July 1, 2011, shall continue in  
1217 force and effect as an order or regulation of the Department of  
1218 Construction Services until amended, repealed or superseded  
1219 pursuant to law. Where any order or regulation of said departments or  
1220 board conflict, the Commissioner of Construction Services may  
1221 implement policies and procedures consistent with the provisions of  
1222 this act while in the process of adopting the policy or procedure in  
1223 regulation form, provided notice of intention to adopt regulations is  
1224 printed in the Connecticut Law Journal within twenty days of  
1225 implementation. The policy or procedure shall be valid until the time  
1226 final regulations are effective.

1227 (e) The commissioner may, within available appropriations, employ  
1228 any other personnel that may be necessary in the performance of the  
1229 department's functions.

1230 (f) The commissioner may enter into contracts for the furnishing by  
1231 any person or agency, public or private, of services necessary for the  
1232 proper execution of the duties of the department. Any such contract  
1233 that has a cost of three thousand dollars or more shall be subject to the  
1234 approval of the Attorney General.

1235 (g) The commissioner may perform any other acts that may be  
1236 necessary and appropriate to carry out the functions of the department  
1237 as set forth in this section.

1238 Sec. 40. Section 4b-1 of the general statutes is repealed and the  
1239 following is substituted in lieu thereof (*Effective July 1, 2011*):

1240 (a) The Commissioner of [Public Works] Construction Services shall  
1241 (1) be responsible for the administrative functions of construction and  
1242 planning of all capital improvements undertaken by the state, except  
1243 (A) highway and bridge construction, the construction and planning of  
1244 capital improvements related to mass transit, marine and aviation  
1245 transportation, (B) the Connecticut Marketing Authority, (C) planning  
1246 and construction of capital improvements to the State Capitol building  
1247 or the Legislative Office Building and related facilities by the Joint  
1248 Committee on Legislative Management, (D) any project as defined in  
1249 subdivision (16) of section 10a-109c, undertaken by The University of  
1250 Connecticut, and (E) construction and planning of capital  
1251 improvements related to the Judicial Department if such construction  
1252 and planning do not constitute a project within the meaning of  
1253 subsection (g) of section 4b-55, including the preparation of  
1254 preliminary plans, estimates of cost, development of designs, working  
1255 plans and specifications, award of contracts and supervision and  
1256 inspection. For the purposes of this subparagraph (E), the term  
1257 "Judicial Department" does not include the courts of probate, the  
1258 Division of Criminal Justice and the Public Defender Services  
1259 Commission, except where such agencies share facilities in state-  
1260 maintained courts; (2) select consultant firms in accordance with the  
1261 provisions of sections 4b-56 to 4b-59, inclusive, to assist in the  
1262 development of plans and specifications when in the commissioner's

1263 judgment such assistance is desirable; (3) render technical advice and  
1264 service to all state agencies in the preparation and correlation of plans  
1265 for necessary improvement of their physical plants; and (4) cooperate  
1266 with those charged with fiscal programming and budget formulation  
1267 in the development of a capital program and a capital budget for the  
1268 state. [; (5) be responsible for the purchase, sale, lease, sublease and  
1269 acquisition of property and space to house state agencies and, subject  
1270 to the provisions of section 4b-21, the sale or exchange of any land or  
1271 interest in land belonging to the state; (6) maintain a complete and  
1272 current inventory of all state-owned or leased property and premises,  
1273 including space-utilization data; (7) supervise the care and control of  
1274 buildings and grounds owned or leased by the state in Hartford,  
1275 except the building and grounds of the State Capitol and the  
1276 Legislative Office Building and parking garage and related structures  
1277 and facilities and grounds, as provided in section 2-71h, and the  
1278 Connecticut Marketing Authority and property under the supervision  
1279 of the Office of the Chief Court Administrator under the terms of  
1280 section 4b-11; and (8) be responsible for the administrative functions of  
1281 establishing and maintaining security standards for all facilities  
1282 housing the offices and equipment of the state except (A) Department  
1283 of Transportation mass transit, marine and aviation facilities, (B) the  
1284 State Capitol and the Legislative Office Building and related facilities,  
1285 (C) facilities under the care and control of The University of  
1286 Connecticut or other constituent units of the state system of higher  
1287 education, (D) Judicial Department facilities, (E) Department of Public  
1288 Safety facilities, (F) Military Department facilities, (G) Department of  
1289 Correction facilities, (H) Department of Children and Families client-  
1290 occupied facilities, (I) facilities occupied by the Governor, Lieutenant  
1291 Governor, Attorney General, Comptroller, Secretary of the State and  
1292 Treasurer, and (J) facilities occupied by the Board of Pardons and  
1293 Paroles. As used in this subdivision, "security" has the meaning  
1294 assigned to it in section 4b-130. Subject to the provisions of chapter 67,  
1295 said commissioner may appoint such employees as are necessary for  
1296 carrying out the duties prescribed to said commissioner by the general  
1297 statutes.]



1298 (b) Notwithstanding any other provision of the general statutes,  
1299 except for the property of The University of Connecticut, the  
1300 commissioner may supervise the care and control of (1) any state-  
1301 owned or leased office building, and related buildings and grounds,  
1302 outside the city of Hartford, used as district offices, except any state-  
1303 owned or leased office building, and related buildings and grounds,  
1304 used by the Judicial Department, and (2) any other state-owned or  
1305 leased property, on a temporary or permanent basis, if the  
1306 commissioner, the Secretary of the Office of Policy and Management  
1307 and the executive head of the department or agency supervising the  
1308 care and control of such property agree, in writing, to such  
1309 supervision.

1310 Sec. 41. (NEW) (*Effective July 1, 2011*) On and after July 1, 2011, (1)  
1311 "Commissioner of Construction Services" shall be substituted for  
1312 "Commissioner of Public Safety", and (2) "Department of Construction  
1313 Services" shall be substituted for "Department of Public Safety", in the  
1314 following sections of the general statutes: 10a-91d, 10a-109ff, 17a-154,  
1315 21a-86f, 29-251, 29-251a, 29-251b, 29-251c, 29-252, 29-252a, 29-254b, 29-  
1316 256, 29-256a, 29-256b, 29-258, 29-261, 29-262, 29-262a, 29-263, 29-269a,  
1317 29-298a, 29-313, 29-315, 29-317, 29-317, as amended by section 7 of  
1318 public act 09-177 and sections 1 and 6 of public act 10-54, 29-319, 29-  
1319 320, 29-320, as amended by section 8 of public act 09-177 and sections  
1320 2 and 6 of public act 10-54, 29-321, 29-322, 29-322, as amended by  
1321 section 9 of public act 09-177 and section 6 of public act 10-54, 29-325,  
1322 29-331, 29-331, as amended by section 14 of public act 09-177 and  
1323 section 6 of public act 10-54, 29-332, 29-333, 29-337, 29-337, as amended  
1324 by section 15 of public act 09-177 and section 6 of public act 10-54, 29-  
1325 338, 29-339, 29-345, 29-346, 29-349, 29-355, 29-359, 29-401, 29-402 and  
1326 29-403.

1327 Sec. 42. (NEW) (*Effective July 1, 2011*) On and after July 1, 2011, (1)  
1328 "Commissioner of Construction Services" shall be substituted for  
1329 "Commissioner of Public Works", and (2) "Department of Construction  
1330 Services" shall be substituted for "Department of Public Works", in the  
1331 following sections of the general statutes: 3-10, 3-20, 3-21d, 4-61, 4-87,

1332 4-89, 4b-1a, 4b-12, 4b-13, 4b-16, 4b-17, 4b-22a, 4b-24, 4b-51, 4b-51a, 4b-  
1333 52, 4b-53, 4b-54, 4b-55, 4b-55a, 4b-56, 4b-60, 4b-62, 4b-63, 4b-65, 4b-66a,  
1334 4b-67, 4b-68, 4b-69, 4b-70, 4b-71, 4b-72, 4b-73, 4b-74, 4b-91, 4b-100, 4b-  
1335 100a, 4b-102, 4b-103, 4b-130, 4b-132, 4b-133, 4b-134, 5-142, 7-323p, 10a-  
1336 4a, 10a-91c, 10a-91d, 13a-73, 13b-20n, 16a-37u, 16a-37v, 16a-38, 16a-38a,  
1337 16a-38b, 16a-38d, 16a-38i, 16a-38j, 16a-38l, 16a-38m, 16a-39, 17a-27, 17a-  
1338 27c, 17a-27d, 17a-451b, 22-64, 22a-6, 22a-12, 22a-439a, 22a-459, 26-3, 27-  
1339 45, 27-131, 28-1b, 31-57, 32-6, 32-612, 32-613, 32-655a and 49-41b.

1340 Sec. 43. Section 4b-11 of the general statutes is repealed and the  
1341 following is substituted in lieu thereof (*Effective July 1, 2011*):

1342 The board of trustees of each state institution shall have the  
1343 supervision, care and control of all property used in connection with  
1344 such institution; the Commissioner of Public Safety shall have the  
1345 supervision, care and control of all property used in connection with  
1346 the Division of State Police; [and] the Department of Construction  
1347 Services shall have the supervision, care and control of all property  
1348 used in connection with the Division of Fire [, Emergency] and  
1349 Building Services within the Department of [Public Safety]  
1350 Construction Services located outside the city of Hartford; the Joint  
1351 Committee on Legislative Management of the General Assembly shall  
1352 have the supervision, care and control of the State Capitol building  
1353 and grounds, the Legislative Office Building and parking garage and  
1354 grounds and related structures and facilities; the Office of the Chief  
1355 Court Administrator shall have the supervision, care and control of all  
1356 property where the Judicial Department is the primary occupant and  
1357 of the building and grounds of the State Library and Supreme Court  
1358 and shall establish policies and procedures governing such  
1359 supervision, care and control. For the purposes of this section, the term  
1360 "Judicial Department" does not include the courts of probate, the  
1361 Division of Criminal Justice and the Public Defender Services  
1362 Commission, except where they share facilities in state-maintained  
1363 courts. Such board of trustees and said commissioner may make  
1364 regulations for the maintenance of order on, and the safeguarding and  
1365 use of, any such property, subject to the direction and supervision of

1366 the Commissioner of [Public Works] Construction Services. Any  
1367 person who trespasses upon such property shall be subject to the  
1368 penalty for criminal trespass, as provided in sections 53a-107 to 53a-  
1369 109, inclusive, or simple trespass, as provided in section 53a-110a. Any  
1370 person who violates any regulation concerning the use of such  
1371 property shall be fined not more than five hundred dollars or  
1372 imprisoned not more than three months, or both.

1373 Sec. 44. Subdivision (10) of section 20-330 of the general statutes is  
1374 repealed and the following is substituted in lieu thereof (*Effective July*  
1375 *1, 2011*):

1376 (10) "State Fire Marshal" means the State Fire Marshal [or any  
1377 member of the Division of State Police to whom the Commissioner of  
1378 Public Safety has delegated powers under section 29-291] appointed by  
1379 the Commissioner of Construction Services;

1380 Sec. 45. Section 29-250 of the general statutes is repealed and the  
1381 following is substituted in lieu thereof (*Effective July 1, 2011*):

1382 (a) There shall be within the Department of [Public Safety]  
1383 Construction Services a Division of Fire [, Emergency] and Building  
1384 Services. The Commissioner of [Public Safety] Construction Services  
1385 shall serve as administrative head of said division. In his capacity as  
1386 administrative head, the commissioner may delegate his jurisdiction of  
1387 the affairs of the division to a deputy commissioner. [who shall be a  
1388 civilian.]

1389 (b) There shall be in the Division of Fire [, Emergency] and Building  
1390 Services (1) an Office of the State Fire Marshal, and (2) an Office of the  
1391 State Building Inspector. [, and (3) an Office of State-Wide Emergency  
1392 Telecommunications. The State Building Inspector shall serve as  
1393 administrative head of the Office of the State Building Inspector.] The  
1394 head of each such office shall report to the [administrative head of the  
1395 Division of Fire, Emergency and Building Services] Commissioner of  
1396 Construction Services.

1397 Sec. 46. Section 29-315a of the general statutes is repealed and the  
1398 following is substituted in lieu thereof (*Effective July 1, 2011*):

1399 On or before July 1, 2005, each chronic and convalescent nursing  
1400 home or rest home with nursing supervision licensed pursuant to  
1401 chapter 368v shall submit a plan for employee fire safety training and  
1402 education to the Departments of Public Health and [Public Safety]  
1403 Construction Services and the Labor Department. Such plan shall, at a  
1404 minimum, comply with standards adopted by the federal  
1405 Occupational Safety and Health Administration, including, but not  
1406 limited to, standards listed in 29 CFR 1910.38, 1910.39 and 1910.157, as  
1407 adopted pursuant to chapter 571, or 29 USC Section 651 et seq., as  
1408 appropriate. The commissioners shall review each such plan and may  
1409 make recommendations they deem necessary. Once approved or  
1410 revised, such plan shall not be required to be resubmitted until further  
1411 revised or there is a change of ownership of the nursing or rest home.

1412 Sec. 47. Section 4-67g of the general statutes is repealed and the  
1413 following is substituted in lieu thereof (*Effective July 1, 2011*):

1414 There is created a Bureau of Real Property Management within the  
1415 Office of Policy and Management. Such office shall be responsible for:  
1416 (1) Long-range planning with regard to the use of all state real  
1417 property; (2) determining the level of efficiency of each and every state  
1418 agency's use of any and all real property under its control; and (3)  
1419 reviewing the inventory of state property maintained by the  
1420 Commissioner of [Public Works pursuant to subdivision (6) of section  
1421 4b-1] Construction Services to determine the appropriate use of such  
1422 properties.

1423 Sec. 48. Section 4-77b of the general statutes is repealed and the  
1424 following is substituted in lieu thereof (*Effective July 1, 2011*):

1425 The estimates of expenditure requirements transmitted by the  
1426 Commissioner of [Public Works] Construction Services to the Secretary  
1427 of the Office of Policy and Management pursuant to section 4-77 and  
1428 the appropriations recommended in the budget document transmitted

1429 by the Governor to the General Assembly pursuant to section 4-71  
1430 shall include an estimate of the amount required by the Department of  
1431 [Public Works] Administrative Services for the leasing of additional  
1432 facilities and an estimate of the amount required by the Department of  
1433 Construction Services for the maintenance, including preventive  
1434 maintenance, of facilities under the supervision, care and control of the  
1435 [department] Department of Construction Services.

1436 Sec. 49. Section 4-142b of the general statutes is repealed and the  
1437 following is substituted in lieu thereof (*Effective July 1, 2011*):

1438 The Department of Administrative Services shall provide staff  
1439 support for the Office of the Claims Commissioner. The Claims  
1440 Commissioner shall maintain a permanent office in Hartford County  
1441 in such suitable space as the Commissioner of [Public Works]  
1442 Administrative Services provides. All papers required to be filed with  
1443 the Claims Commissioner shall be delivered to such office.

1444 Sec. 50. Section 4b-23 of the general statutes is repealed and the  
1445 following is substituted in lieu thereof (*Effective July 1, 2011*):

1446 (a) As used in this section, "facility" means buildings and real  
1447 property owned or leased by the state. The Secretary of the Office of  
1448 Policy and Management shall establish guidelines which further define  
1449 such term. All agencies and departments of the state shall notify the  
1450 Secretary of the Office of Policy and Management of their facility needs  
1451 including, but not limited to, the types of such facilities and the  
1452 municipalities or general location for the facilities. Each agency and  
1453 department shall continue long-range planning for facility needs,  
1454 establish a plan for its long-range facility needs and submit such plan  
1455 and related facility project requests to the Secretary of the Office of  
1456 Policy and Management, and a copy thereof to the Commissioner of  
1457 [Public Works] Administrative Services, on or before September first of  
1458 each even-numbered year. Each such request shall be accompanied by  
1459 a capital development impact statement, as required by section 4-66b,  
1460 and a colocation statement, as required by section 4b-31, if the

1461 secretary so requires. Each agency and department shall base its long-  
1462 term planning for facility needs on a program plan. The secretary shall  
1463 establish a content guide and schedule for such plans. Each agency and  
1464 department shall prepare its program plan in accordance with such  
1465 guide and file it with the secretary pursuant to such schedule. Facility  
1466 plans shall include, but not be limited to: Identification of (1) long-term  
1467 and short-term facility needs, (2) opportunities for the substitution of  
1468 state-owned space for leased space, (3) facilities proposed for  
1469 demolition or abandonment which have potential for other uses and  
1470 (4) space modifications or relocations that could result in cost or  
1471 energy savings. Each agency or department program plan and facility  
1472 plan and its facility project requests shall cover a period of at least five  
1473 years. The secretary shall provide agencies and departments with  
1474 instructions for preparing program plans, long-term facility plans and  
1475 facility project requests and shall provide appropriate programmatic  
1476 planning assistance. The Commissioner of [Public Works]  
1477 Construction Services shall assist agencies and departments with long-  
1478 term facilities planning and the preparation of cost estimates for such  
1479 plans and requests. The Secretary of the Office of Policy and  
1480 Management shall review such plans and prepare an integrated state  
1481 facility plan which meets the aggregate facility needs of the state. The  
1482 secretary shall review the cost effective retrofit measures  
1483 recommended to him by the Commissioner of [Public Works]  
1484 Construction Services under subsection (b) of section 16a-38a and  
1485 include in the plan those measures which would best attain the energy  
1486 performance standards established under subdivision (1) of subsection  
1487 (b) of section 16a-38.

1488 (b) On or before December first of each even-numbered year, the  
1489 Commissioner of [Public Works] Administrative Services shall provide  
1490 the Secretary of the Office of Policy and Management with a review of  
1491 the plans and requests submitted pursuant to subsection (a) of this  
1492 section for consistency with realistic cost factors, space requirements,  
1493 space standards, implementation schedules, priority needs, objectives  
1494 of the Commissioner of [Public Works] Administrative Services in

1495 carrying out his responsibilities under section 4b-30 and the need for  
1496 the maintenance, improvement and replacement of state facilities.

1497 (c) The Secretary of the Office of Policy and Management shall  
1498 present a proposed state facility plan to the Properties Review Board  
1499 on or before February fifteenth of each odd-numbered year. Such plan  
1500 shall be known as the recommended state facility plan and shall  
1501 include all leases and capital projects and a statement of the degree to  
1502 which it promotes the colocation goals addressed in subsection (e) of  
1503 section 4b-31. The secretary shall establish guidelines defining "capital  
1504 projects". The Properties Review Board shall submit its  
1505 recommendations to the secretary on or before March first of each odd-  
1506 numbered year. The Properties Review Board recommendations shall  
1507 address the goals described in subsection (e) of section 4b-31. The  
1508 secretary shall present the recommended state facility plan to the  
1509 General Assembly on or before March fifteenth of each odd-numbered  
1510 year.

1511 (d) Upon the approval by the General Assembly of the operating  
1512 and capital budget appropriations, the Secretary of the Office of Policy  
1513 and Management shall update and modify the recommended state  
1514 facility plan, which shall then be known as the state facility plan. The  
1515 state facility plan shall be used as an advisory document for the leasing  
1516 of property for use by state agencies and departments and for related  
1517 capital projects.

1518 (e) Implementation of the state facility plan shall be the  
1519 responsibility of the Commissioner of [Public Works] Construction  
1520 Services. He shall conduct a study of each proposed facility in the plan  
1521 to determine: (1) The method of choice for satisfying each such facility  
1522 need, (2) the geographical areas best suited to such need, (3) the  
1523 feasibility and cost of such acquisition using a life-cycle cost analysis as  
1524 established by subdivision (2) of subsection (b) of section 16a-38, (4)  
1525 the degree to which the plan promotes the goals addressed in  
1526 subsection (e) of section 4b-31 and (5) any other relevant factors. Said  
1527 commissioner shall review and approve each facility plan

1528 implementation action and shall submit to the Properties Review  
1529 Board a list of each such action approved and the method and plan by  
1530 which it shall be accomplished. Said commissioner shall endeavor to  
1531 locate human services agencies in the same buildings as municipal and  
1532 private agencies that provide human services. The results of said  
1533 commissioner's study along with all supportive materials shall be  
1534 immediately sent to the Properties Review Board. The board shall meet  
1535 to review the decision of the commissioner and may request the  
1536 commissioner or any member of his department, and the head of the  
1537 requesting agency or any of his employees to appear for the purpose of  
1538 supplying pertinent information. Said board shall call a meeting within  
1539 two weeks of the receipt of the commissioner's decision, and may meet  
1540 as often as necessary, to review said decision. The board, within ninety  
1541 days after the receipt of the decision of the Commissioner of [Public  
1542 Works] Construction Services, shall either accept, reject or request  
1543 modification of such decision, except that when more time is required,  
1544 the board may have a ninety-day extension of time, provided the  
1545 board shall advise the Commissioner of [Public Works] Construction  
1546 Services in writing as to the reasons for such extension of time. If such  
1547 decision is disapproved by the board, it shall so inform the  
1548 commissioner along with its reasons therefor, and the commissioner  
1549 shall inform the head of the requesting agency and the Secretary of the  
1550 Office of Policy and Management that its request has been rejected. If  
1551 such decision is approved by the board it shall inform the  
1552 commissioner of such approval and the commissioner shall  
1553 immediately communicate his decision to the head or acting head of  
1554 such governmental unit and to the Secretary of the Office of Policy and  
1555 Management and shall set forth the procedures to be taken to  
1556 accomplish the results of such decision. The decision to make public  
1557 such decision shall rest solely with the commissioner both as to time  
1558 and manner of disclosure, but in no event shall such period exceed one  
1559 year. The commissioner shall, when he deems it to be in the public  
1560 interest, authorize the disclosure of such information; however, in the  
1561 absence of such authorization, any unauthorized disclosure shall be  
1562 subject to the criminal provisions of section 4b-27. All decisions made



1563 by the commissioner under the provisions of this section shall require  
1564 review by the board. Except as otherwise hereinafter provided, the  
1565 approval or disapproval of the Properties Review Board shall be  
1566 binding on the commissioner and the requesting agency with regard to  
1567 the acquisition of any real estate by lease or otherwise,  
1568 notwithstanding any other statute or special act to the contrary. A  
1569 majority vote of the board shall be required to accept or reject a  
1570 decision of the commissioner.

1571 (f) Within forty-five days from the date of the board's decision  
1572 regarding the request of a governmental unit, the head or acting head  
1573 of such unit shall notify the commissioner (1) that it accepts his  
1574 decision, (2) that it rejects his decision and withdraws its request, or (3)  
1575 that it does not approve such decision and requests that all or part of  
1576 such decision be modified by the commissioner. When such  
1577 modification is requested, the commissioner shall, within three weeks  
1578 from receipt of such request, consider and act upon such request for  
1579 modification and submit his decision to the Properties Review Board.  
1580 If the commissioner and the board fail to agree to such modification in  
1581 whole or in part, the governmental unit may, within ten days from the  
1582 date of notification of such final decision, accept the commissioner's  
1583 final decision, reject such decision and withdraw its request, or appeal  
1584 to the Governor. Upon such appeal, the commissioner shall submit a  
1585 report to the Governor stating the board's conclusions and supporting  
1586 material therefor and the governmental agency shall submit a report to  
1587 the Governor stating its objections to such decision and its supporting  
1588 material therefor. The Governor shall, within thirty days of the receipt  
1589 of such reports, make a decision which shall be binding on the parties  
1590 involved. In the absence of any such appeal or withdrawal of request,  
1591 the decision of the commissioner and the board shall be final and  
1592 binding upon the governmental unit.

1593 (g) After final action is taken approving any request or modification  
1594 thereof, condemnation procedures shall continue to be prosecuted in  
1595 the same manner as they were on July 1, 1975, by the agency involved,  
1596 where such procedures are applicable and authorized by statute.

1597 (h) Approval by the Properties Review Board shall not be required  
1598 prior to State Bond Commission authorization of funds (1) for  
1599 planning costs and other preliminary expenses for any construction or  
1600 acquisition project, or (2) for any construction or acquisition project for  
1601 which an architect was selected prior to July 1, 1975.

1602 (i) As used in this subsection, (1) "project" means any state program,  
1603 except the downtown Hartford higher education center project, as  
1604 defined in subsection (l) of section 4b-55, requiring consultant services  
1605 if the cost of such services is estimated to exceed one hundred  
1606 thousand dollars or, in the case of a constituent unit of the state system  
1607 of higher education, the cost of such services is estimated to exceed  
1608 three hundred thousand dollars, or in the case of a building or  
1609 premises under the supervision of the Office of the Chief Court  
1610 Administrator or property where the Judicial Department is the  
1611 primary occupant, the cost of such services is estimated to exceed three  
1612 hundred thousand dollars; (2) "consultant" means "consultant" as  
1613 defined in section 4b-55; and (3) "consultant services" means  
1614 "consultant services" as defined in section 4b-55. Any contracts entered  
1615 into by the commissioner with any consultants for employment (A) for  
1616 any project under the provisions of this section, (B) in connection with  
1617 a list established under subsection (d) of section 4b-51, or (C) by task  
1618 letter issued by the commissioner to any consultant on such list  
1619 pursuant to which the consultant will provide services valued in  
1620 excess of one hundred thousand dollars, shall be subject to the  
1621 approval of the Properties Review Board prior to the employment of  
1622 said consultant or consultants by the commissioner. The Properties  
1623 Review Board shall, within thirty days, approve or disapprove the  
1624 selection of or contract with any consultant made by the Commissioner  
1625 of [Public Works] Construction Services pursuant to sections 4b-1, as  
1626 amended by this act, and 4b-55 to 4b-59, inclusive. If upon the  
1627 expiration of the thirty-day period a decision has not been made, the  
1628 Properties Review Board shall be deemed to have approved such  
1629 selection or contract.

1630 (j) The Properties Review Board shall, within thirty days, approve or

1631 disapprove the proposed acquisition by lease of any residential  
1632 property by the Commissioner of Developmental Services pursuant to  
1633 subsection (d) of section 4b-3, as amended by this act. If upon the  
1634 expiration of such thirty-day period a decision has not been made, the  
1635 Properties Review Board shall be deemed to have approved such lease.

1636 (k) Any agency or department of state government requiring  
1637 additional facilities not included in the state facility plan may submit a  
1638 request to the Secretary of the Office of Policy and Management  
1639 outlining the justification for its request. The agency or department  
1640 shall also provide (1) in the case of a request not previously submitted  
1641 to the secretary pursuant to subsection (a) of this section, the reasons  
1642 why it was not so submitted, and (2) in the case of a request so  
1643 submitted, sufficient new information to warrant reconsideration. Such  
1644 request shall include a statement of the degree to which the proposed  
1645 state facility plan promotes the goals addressed in subsection (e) of  
1646 section 4b-31, if the secretary so requires. Such request shall also be  
1647 accompanied by a capital development impact statement as required  
1648 under section 4-66b, if the secretary so requires. Subsections (b) to (d),  
1649 inclusive, of this section shall not apply to the review of such requests.  
1650 Any such request for additional facilities which are determined by the  
1651 Secretary of the Office of Policy and Management to be of emergency  
1652 nature or the lack of which may seriously hinder the efficient operation  
1653 of the state, may be approved by the Properties Review Board and the  
1654 Secretary of the Office of Policy and Management and shall be known  
1655 as an approval made during the interim between state facility plans.  
1656 No action may be taken by the state to lease or construct such  
1657 additional facilities unless the secretary makes such a determination.

1658 (l) The Commissioner of [Public Works] Administrative Services  
1659 shall monitor the amount of leased space being requested and the costs  
1660 of all proposed and approved facility project actions and, in the case of  
1661 space or facility projects for which bond funds were authorized, shall  
1662 advise the Secretary of the Office of Policy and Management and the  
1663 Governor when the space to be leased or the forecast costs to complete  
1664 the project exceed the square footage amount or the cost levels in the

1665 approved state facility plan by ten per cent or more. Approval of the  
1666 Secretary of the Office of Policy and Management, the Properties  
1667 Review Board, the State Bond Commission and the Governor shall be  
1668 required to continue the project.

1669 (m) (1) Plans to construct, renovate or modify state-owned or  
1670 occupied buildings shall provide for a portion of the total planned  
1671 floor area of newly constructed state buildings or buildings  
1672 constructed specifically for use by the state to be served by renewable  
1673 sources of energy, including solar, wind, water and biomass sources,  
1674 for use in space heating and cooling, domestic hot water and other  
1675 applications. For the plan due December 1, 1979, the portion to be  
1676 served by renewable energy sources shall be not less than five per cent  
1677 of total planned new floor area. For each succeeding state facilities  
1678 plan submitted after December 1, 1979, the portion of the total planned  
1679 floor area of any additional newly constructed state buildings or  
1680 buildings constructed specifically for use by the state to be served by  
1681 renewable energy sources shall be increased by at least five per cent  
1682 per year until a goal of fifty per cent of total planned floor area of any  
1683 additional newly constructed state buildings or buildings constructed  
1684 specifically for use by the state is reached. For any facility served by  
1685 renewable energy sources in accordance with this subsection, not less  
1686 than thirty per cent of the total energy requirements of any specific  
1687 energy application, including, but not limited to, space heating or  
1688 cooling and providing domestic hot water, shall be provided by  
1689 renewable energy sources. The installation in newly constructed state  
1690 buildings or buildings constructed specifically for use by the state of  
1691 systems using renewable energy sources in accordance with this  
1692 subsection, shall be subject to the life-cycle cost analysis provided for  
1693 in section 16a-38. (2) The state shall fulfill the obligations imposed by  
1694 subdivision (1) of this section unless such action would cause an  
1695 undue economic hardship to the state.

1696 (n) The recommended state facility plan shall include policies for:

1697 (1) The encouragement of the acquisition, transfer and utilization of

1698 space in suitable buildings of historic, architectural or cultural  
1699 significance, unless use of such space would not prove feasible and  
1700 prudent compared with available alternatives;

1701 (2) The encouragement of the location of commercial, cultural,  
1702 educational and recreational facilities and activities within public  
1703 buildings;

1704 (3) The provision and maintenance of space, facilities and activities  
1705 to the extent practicable, which encourage public access to and  
1706 stimulate public pedestrian traffic around, into and through public  
1707 buildings, permitting cooperative improvements to and uses of the  
1708 areas between the building and the street, so that such activities  
1709 complement and supplement commercial, cultural, educational and  
1710 recreational resources in the neighborhood of public buildings;

1711 (4) The encouragement of the public use of public buildings for  
1712 cultural, educational and recreational activities;

1713 (5) The encouragement of the ownership or leasing of modern  
1714 buildings to replace obsolete facilities, achieve cost and energy  
1715 efficiencies, maximize delivery of services to the public, preserve  
1716 existing infrastructure and provide a comfortable and space-efficient  
1717 work environment; and

1718 (6) The encouragement of the establishment of child day care  
1719 facilities and child development centers including provisions for (A)  
1720 full-day and year-round programs for children of working parents, (B)  
1721 opportunities for parents to choose among accredited public or private  
1722 programs, (C) open enrollment for children in child day care and  
1723 school readiness programs, and (D) incentives for the colocation and  
1724 service integration of child day care programs and school readiness  
1725 programs pursuant to section 4b-31.

1726 (o) Not later than January 1, 1988, the Commissioner of [Public  
1727 Works] Administrative Services shall adopt regulations, in  
1728 consultation with the Secretary of the Office of Policy and

1729 Management and the State Properties Review Board, and in  
1730 accordance with the provisions of chapter 54, setting forth the  
1731 procedures which the Department of [Public Works] Administrative  
1732 Services and such office and board shall follow in carrying out their  
1733 responsibilities concerning state leasing of offices, space or other  
1734 facilities. Such regulations shall specify, for each step in the leasing  
1735 process at which an approval is needed in order to proceed to the next  
1736 step, what information shall be required, who shall provide the  
1737 information and the criteria for granting the approval.  
1738 Notwithstanding any other provision of the general statutes, such  
1739 regulations shall provide that: (1) The Commissioner of [Public Works]  
1740 Administrative Services shall (A) review all lease requests included in,  
1741 and scheduled to begin during, the first year of each approved state-  
1742 wide facility and capital plan and (B) provide the Secretary of the  
1743 Office of Policy and Management with an estimate of the gross cost  
1744 and total square footage need for each lease, (2) the secretary shall  
1745 approve a gross cost and a total square footage for each such lease and  
1746 transmit each decision to the requesting agency, the commissioner and  
1747 the State Properties Review Board, (3) the commissioner shall submit  
1748 to the secretary, for approval, only negotiated lease requests which  
1749 exceed such approved cost, or which exceed such approved square  
1750 footage by at least ten per cent, and (4) the secretary shall approve or  
1751 disapprove any such lease request not more than ten working days  
1752 after he receives the request. If the secretary fails to act on the request  
1753 during such period, the request shall be deemed to have been  
1754 approved and shall be forwarded to the board.

1755 Sec. 51. Section 4b-76 of the general statutes is repealed and the  
1756 following is substituted in lieu thereof (*Effective July 1, 2011*):

1757 In the event that a public or special act authorizes the state  
1758 acquisition of real property or the construction, improvement, repair  
1759 or renovation of any facility, the Commissioner of [Public Works]  
1760 Administrative Services, in accordance with the provisions of this title,  
1761 may acquire such real property [or] and the Commissioner of  
1762 Construction Services may provide design and construction services

1763 for any such construction, improvement, repair or renovation of such  
1764 facility, or both if applicable.

1765 Sec. 52. Section 4b-101a of the general statutes is repealed and the  
1766 following is substituted in lieu thereof (*Effective July 1, 2011*):

1767 (a) Not later than January 1, 2006, and annually thereafter, each  
1768 awarding authority, other than a municipality, shall prepare a report  
1769 on the status of [(1)] any ongoing project for the construction,  
1770 reconstruction, alteration, remodeling, repair or demolition of any  
1771 public building which is estimated to cost more than five hundred  
1772 thousand dollars and is paid for, in whole or in part, with state funds,  
1773 [, or (2) any property management contract awarded by the  
1774 Department of Public Works which has an annual value of one  
1775 hundred thousand dollars or more.] Except for a school construction  
1776 project, the awarding authority shall submit the report to the Governor  
1777 and the joint standing committees of the General Assembly having  
1778 cognizance of matters relating to government administration and  
1779 finance, revenue and bonding. The report shall be submitted in  
1780 accordance with section 11-4a. The first report submitted after a  
1781 contract is awarded shall indicate: [(A)] (1) When, where and how the  
1782 request for bids was advertised; [(B)] (2) who bid on the projects; [(C)]  
1783 (3) the provisions of law that governed the award of the contract and if  
1784 there were any deviations from standard procedure in awarding the  
1785 contract; [(D)] (4) the names of the individuals who had decision-  
1786 making authority in awarding the contract, including, but not limited  
1787 to, the individuals who served on any award panel; [(E)] (5) if an  
1788 award panel was used, whether the recommendation of the panel was  
1789 followed and, if applicable, the reason why such recommendation was  
1790 not followed; [(F)] (6) whether the awarding authority has any other  
1791 contracts with the contractor who was awarded the contract, and if so,  
1792 the nature and value of the contract; and [(G)] (7) any provisions of law  
1793 that authorized or funded the project.

1794 (b) The University of Connecticut shall not be required to submit a  
1795 report pursuant to this section for any project, as defined in

1796 subdivision (16) of section 10a-109c, that is undertaken and controlled  
1797 by the university.

1798 Sec. 53. Section 4b-135 of the general statutes is repealed and the  
1799 following is substituted in lieu thereof (*Effective July 1, 2011*):

1800 [On or after July 1, 1999, the] The Commissioner of [Public Works]  
1801 Administrative Services may not execute a new lease for use by a state  
1802 agency, as defined in section 4b-130, as amended by this act, of any  
1803 building or structure which is not occupied or possessed by the state at  
1804 the time of execution of the lease unless (1) the owner or agent of the  
1805 owner of the building or structure has had a security audit conducted  
1806 for the building or structure, which in the commissioner's opinion is  
1807 comparable to security audits conducted by the [commissioner]  
1808 Commissioner of Construction Services under section 4b-133, as  
1809 amended by this act, (2) (A) the [commissioner] Commissioner of  
1810 Administrative Services, in consultation with the Commissioner of  
1811 Construction Services, determines that the building or structure  
1812 complies with the security standards established under section 4b-132,  
1813 as amended by this act, or (B) such owner or agent has implemented  
1814 the recommendations of the security audit which bring the building or  
1815 structure into compliance with such security standards, and (3) such  
1816 owner or agent agrees in the lease to maintain the security standards.

1817 Sec. 54. Subsection (a) of section 10a-72 of the general statutes is  
1818 repealed and the following is substituted in lieu thereof (*Effective July*  
1819 *1, 2011*):

1820 (a) Subject to state-wide policy and guidelines established by the  
1821 Board of Governors of Higher Education, said board of trustees shall  
1822 administer the regional community-technical colleges and plan for the  
1823 expansion and development of the institutions within its jurisdiction  
1824 and submit such plans to the Board of Governors of Higher Education  
1825 for review and recommendations. The Commissioner of [Public  
1826 Works] Administrative Services on request of the board of trustees  
1827 shall, in accordance with section 4b-30, as amended by this act,



1828 negotiate and execute leases on such physical facilities as the board of  
1829 trustees may deem necessary for proper operation of such institutions,  
1830 and said board of trustees may expend capital funds therefor, if such  
1831 leasing is required during the planning and construction phases of  
1832 institutions within its jurisdiction for which such capital funds were  
1833 authorized. The board of trustees may appoint and remove the chief  
1834 executive officer of each institution within its jurisdiction, and with  
1835 respect to its own operation the board may appoint and remove a  
1836 chancellor and an executive staff. The board of trustees may determine  
1837 the size of the executive staff and the duties, terms and conditions of  
1838 employment of a chancellor and staff, subject to personnel guidelines  
1839 established by the Board of Governors of Higher Education in  
1840 consultation with said board of trustees, provided said board of  
1841 trustees may not appoint or reappoint members of the executive staff  
1842 for terms longer than one year. The board of trustees may employ the  
1843 faculty and other personnel needed to operate and maintain the  
1844 institutions within its jurisdiction. Within the limitation of  
1845 appropriations, the board of trustees shall fix the compensation of such  
1846 personnel, establish terms and conditions of employment and  
1847 prescribe their duties and qualifications. Said board of trustees shall  
1848 determine who constitutes its professional staff and establish  
1849 compensation and classification schedules for its professional staff.  
1850 Said board shall annually submit to the Commissioner of  
1851 Administrative Services a list of the positions which it has included  
1852 within the professional staff. The board shall establish a division of  
1853 technical and technological education. The board of trustees shall  
1854 confer such certificates and degrees as are appropriate to the curricula  
1855 of community-technical colleges subject to the approval of the Board of  
1856 Governors of Higher Education. The board of trustees shall with the  
1857 advice of, and subject to the approval of, the Board of Governors of  
1858 Higher Education, prepare plans for the development of a regional  
1859 community-technical college and submit the same to the  
1860 Commissioner of [Public Works] Construction Services and request  
1861 said commissioner to select the site for such college. Within the limits  
1862 of the bonding authority therefor, the [commissioner] Commissioner of

1863 Administrative Services, subject to the provisions of section 4b-23, as  
1864 amended by this act, may acquire such site and the Commissioner of  
1865 Construction Services may construct such buildings as are consistent  
1866 with the plan of development approved by the Board of Governors of  
1867 Higher Education.

1868 Sec. 55. Section 10a-90 of the general statutes is repealed and the  
1869 following is substituted in lieu thereof (*Effective July 1, 2011*):

1870 The Board of Trustees for the Connecticut State University System,  
1871 with the approval of the Governor and the Secretary of the Office of  
1872 Policy and Management, may lease state-owned land under its care,  
1873 custody or control to private developers for construction of dormitory  
1874 buildings, provided such developers agree to lease such buildings to  
1875 such board of trustees with an option to purchase and provided  
1876 further that any such agreement to lease is subject to the provisions of  
1877 section 4b-23, as amended by this act, prior to the making of the  
1878 original lease by the board of trustees. The plans for such buildings  
1879 shall be subject to approval of such board, the Commissioner of [Public  
1880 Works] Construction Services and the State Properties Review Board  
1881 and such leases shall be for the periods and upon such terms and  
1882 conditions as the Commissioner of [Public Works] Administrative  
1883 Services determines, and such buildings, while privately owned, shall  
1884 be subject to taxation by the town in which they are located. The Board  
1885 of Trustees for the Connecticut State University System may also deed,  
1886 transfer or lease state-owned land under its care, custody or control to  
1887 the State of Connecticut Health and Educational Facilities Authority  
1888 for financing or refinancing the planning, development, acquisition  
1889 and construction and equipping of dormitory buildings and student  
1890 housing facilities and to lease or sublease such dormitory buildings or  
1891 student housing facilities and authorize the execution of financing  
1892 leases of land, interests therein, buildings and fixtures in order to  
1893 secure obligations to repay any loan from the State of Connecticut  
1894 Health and Educational Facilities Authority from the proceeds of  
1895 bonds issued thereby pursuant to the provisions of chapter 187 made  
1896 by the authority to finance or refinance the planning, development,

1897 acquisition and construction of dormitory buildings. Any such  
1898 financing lease shall not be subject to the provisions of section 4b-23, as  
1899 amended by this act, and the plans for such dormitories shall be  
1900 subject only to the approval of the board. Such financing leases shall be  
1901 for such periods and upon such terms and conditions that the board  
1902 shall determine. Any state property so leased shall not be subject to  
1903 local assessment and taxation and such state property shall be  
1904 included as property of the Connecticut State University System for  
1905 the purpose of computing a grant in lieu of taxes pursuant to section  
1906 12-19a.

1907 Sec. 56. Subsection (a) of section 10a-91 of the general statutes is  
1908 repealed and the following is substituted in lieu thereof (*Effective July*  
1909 *1, 2011*):

1910 (a) The Board of Trustees of the Connecticut State University  
1911 System, with the approval of the Governor, the Commissioner of  
1912 [Public Works] Administrative Services and the State Properties  
1913 Review Board, may lease land or buildings under its care, custody or  
1914 control to private developers for rental housing and commercial  
1915 establishments. Such leases shall be for periods and upon such terms  
1916 and conditions, including, but not limited to, provision for adequate  
1917 liability insurance to be maintained by the lessee for the benefit of the  
1918 state and rental terms, as may be determined by the Commissioner of  
1919 [Public Works] Administrative Services and, in the case of a lease of  
1920 land, may provide for the construction of buildings thereon to be used  
1921 for rental housing and commercial establishments, the plans of which  
1922 shall be subject to the approval of the board of trustees, the  
1923 Commissioner of [Public Works] Construction Services and the State  
1924 Properties Review Board. Said board of trustees may provide for  
1925 water, heat and waste disposal services on a cost-reimbursement basis  
1926 to such leased premises. Said board may designate the kinds of  
1927 concessions for supplying goods, commodities, services and facilities  
1928 to be permitted on such land and may select the permittees, or said  
1929 board may delegate such functions to the private developers with  
1930 which it contracts pursuant to this section.

1931       Sec. 57. Subsection (y) of section 5-198 of the general statutes is  
1932 repealed and the following is substituted in lieu thereof (*Effective July*  
1933 *1, 2011*):

1934       (y) The Deputy State Fire Marshal in the Division of Fire [,  
1935 Emergency] and Building Services within the Department of [Public  
1936 Safety] Construction Services;

1937       Sec. 58. Subsection (a) of section 28-24 of the general statutes is  
1938 repealed and the following is substituted in lieu thereof (*Effective July*  
1939 *1, 2011*):

1940       (a) There is established an Office of State-Wide Emergency  
1941 Telecommunications which shall be [in the Division of Fire,  
1942 Emergency and Building Services] within the Department of Public  
1943 Safety. The Office of State-Wide Emergency Telecommunications shall  
1944 be responsible for developing and maintaining a state-wide emergency  
1945 service telecommunications policy. In connection with said policy the  
1946 office shall:

1947       (1) Develop a state-wide emergency service telecommunications  
1948 plan specifying emergency police, fire and medical service  
1949 telecommunications systems needed to provide coordinated  
1950 emergency service telecommunications to all state residents, including  
1951 the physically disabled;

1952       (2) Pursuant to the recommendations of the task force established by  
1953 public act 95-318 to study enhanced 9-1-1 telecommunications services,  
1954 and in accordance with regulations adopted by the Commissioner of  
1955 Public Safety pursuant to subsection (b) of this section, develop and  
1956 administer, by July 1, 1997, an enhanced emergency 9-1-1 program,  
1957 which shall provide for: (A) The replacement of existing 9-1-1 terminal  
1958 equipment for each public safety answering point; (B) the  
1959 subsidization of regional public safety emergency telecommunications  
1960 centers, with enhanced subsidization for municipalities with a  
1961 population in excess of forty thousand; (C) the establishment of a  
1962 transition grant program to encourage regionalization of public safety

1963 telecommunications centers; and (D) the establishment of a regional  
1964 emergency telecommunications service credit in order to support  
1965 regional dispatch services;

1966 (3) Provide technical telecommunications assistance to state and  
1967 local police, fire and emergency medical service agencies;

1968 (4) Provide frequency coordination for such agencies;

1969 (5) Coordinate and assist in state-wide planning for 9-1-1 and E 9-1-  
1970 1 systems;

1971 (6) Review and make recommendations concerning proposed  
1972 legislation affecting emergency service telecommunications; and

1973 (7) Review and make recommendations to the General Assembly  
1974 concerning emergency service telecommunications funding.

1975 Sec. 59. Section 29-4 of the general statutes is repealed and the  
1976 following is substituted in lieu thereof (*Effective July 1, 2011*):

1977 On and after January 1, 2006, the Commissioner of Public Safety  
1978 shall appoint and maintain a minimum of one thousand two hundred  
1979 forty-eight sworn state police personnel to efficiently maintain the  
1980 operation of the division. On or after June 6, 1990, the commissioner  
1981 shall appoint from among such personnel not more than three  
1982 lieutenant colonels who shall be in the unclassified service as provided  
1983 in section 5-198. Any permanent employee in the classified service who  
1984 accepts appointment to the position of lieutenant colonel in the  
1985 unclassified service may return to the classified service at such  
1986 employee's former rank. The position of major in the classified service  
1987 shall be abolished on July 1, 1999, but any existing position of major in  
1988 the classified service may continue until termination of service. The  
1989 commissioner shall appoint not more than seven majors who shall be  
1990 in the unclassified service as provided in section 5-198. Any permanent  
1991 employee in the classified service who accepts appointment to the  
1992 position of major in the unclassified service may return to the classified

1993 service at such permanent employee's former rank. The commissioner,  
1994 subject to the provisions of chapter 67, shall appoint such numbers of  
1995 captains, lieutenants, sergeants, detectives and corporals as the  
1996 commissioner deems necessary to officer efficiently the state police  
1997 force. [The commissioner may appoint a Deputy State Fire Marshal  
1998 who shall be in the unclassified service as provided in section 5-198.  
1999 Any permanent employee in the classified service who accepts  
2000 appointment to the position of Deputy State Fire Marshal in the  
2001 unclassified service may return to the classified service at such  
2002 employee's former rank, class or grade, whichever is applicable.] The  
2003 commissioner shall establish such divisions as the commissioner  
2004 deems necessary for effective operation of the state police force and  
2005 consistent with budgetary allotments, a Criminal Intelligence Division  
2006 and a state-wide organized crime investigative task force to be  
2007 engaged throughout the state for the purpose of preventing and  
2008 detecting any violation of the criminal law. The head of the Criminal  
2009 Intelligence Division shall be of the rank of sergeant or above. The  
2010 head of the state-wide organized crime investigative task force shall be  
2011 a police officer. Salaries of the members of the Division of State Police  
2012 within the Department of Public Safety shall be fixed by the  
2013 Commissioner of Administrative Services as provided in section 4-40.  
2014 State police personnel may be promoted, demoted, suspended or  
2015 removed by the commissioner, but no final dismissal from the service  
2016 shall be ordered until a hearing has been had before said commissioner  
2017 on charges preferred against such officer. Each state police officer shall,  
2018 before entering upon such officer's duties, be sworn to the faithful  
2019 performance of such duties. The Commissioner of Public Safety shall  
2020 designate an adequate patrol force for motor patrol work exclusively.

2021 Sec. 60. Section 29-291 of the general statutes is repealed and the  
2022 following is substituted in lieu thereof (*Effective July 1, 2011*):

2023 For the purposes of this part and any other statute related to fire  
2024 prevention and safety, the Commissioner of [Public Safety shall]  
2025 Construction Services shall appoint a person to serve as the State Fire  
2026 Marshal. The commissioner may delegate such powers as the

2027 commissioner deems expedient for the proper administration of this  
2028 part and any other statute related to fire prevention and safety to any  
2029 employee of (1) the Department of Public Safety, and (2) The  
2030 University of Connecticut at Storrs Division of Public Safety, provided  
2031 the commissioner and the president of The University of Connecticut  
2032 enter into a memorandum of understanding concerning such  
2033 delegation of powers in accordance with section 10a-109ff, as amended  
2034 by this act.

2035 Sec. 61. Section 29-302 of the general statutes is repealed and the  
2036 following is substituted in lieu thereof (*Effective July 1, 2011*):

2037 The local fire marshal shall, in accordance with the provisions of  
2038 section 29-311, as amended by this act, investigate the cause, origin  
2039 and circumstances of any fire or explosion within his jurisdiction, by  
2040 reason of which property has been destroyed or damaged, or any  
2041 person injured or killed, or any incidents which threatened any  
2042 property with destruction or damage or any person with injury or  
2043 death by reason of fire or explosion, and shall especially investigate  
2044 whether such fire was the result of an incendiary device or the result of  
2045 carelessness, design or any criminal act; and the [Commissioner of  
2046 Public Safety as] State Fire Marshal, or the deputy fire marshal under  
2047 his direction, may supervise and direct such investigation.

2048 Sec. 62. Section 29-310 of the general statutes is repealed and the  
2049 following is substituted in lieu thereof (*Effective July 1, 2011*):

2050 (a) The [Commissioner of Public Safety as] State Fire Marshal shall  
2051 thoroughly investigate the cause, circumstances and origin of all fires  
2052 or explosions to which his attention has been called, in accordance  
2053 with the provisions of this part, by reason of which any property has  
2054 been destroyed or damaged, or any person injured or killed, and shall  
2055 especially examine and decide as to whether such fire was the result of  
2056 carelessness, design, an incendiary device or any other criminal act. He  
2057 may take the testimony under oath of any person supposed to be  
2058 cognizant of or to have means of knowledge in relation to the matters

2059 as to which an examination is being made, and shall cause the same to  
2060 be reduced to writing and filed in his office; and if, in his opinion,  
2061 there is sufficient evidence to warrant that any person should be  
2062 charged with the crime of arson or any other crime, he shall forthwith  
2063 submit such evidence, together with the names of the witnesses and all  
2064 other information obtained by him, to the proper prosecuting officer.  
2065 He may, in any investigation, issue subpoenas for the purposes of  
2066 summoning and compelling the attendance of witnesses before him to  
2067 testify. He may administer oaths or affirmations to witnesses before  
2068 him, and false swearing therein shall be perjury. He may, in the  
2069 performance of his duties, enter, by himself or his assistants, into and  
2070 upon the premises or building where any fire or explosion has  
2071 occurred and premises thereto adjacent in accordance with the  
2072 provisions of section 29-311, as amended by this act.

2073 (b) Whenever it comes to his knowledge or to the knowledge of any  
2074 local fire marshal that there exists in any building or upon any  
2075 premises combustible material or flammable conditions dangerous to  
2076 the safety of such building or premises or dangerous to any other  
2077 building or property, or conditions that present a fire hazard to the  
2078 occupants thereof, the [commissioner] State Fire Marshal, or any local  
2079 fire marshal, obtaining such knowledge, shall order such material to be  
2080 forthwith removed or such conditions remedied by the owner or  
2081 occupant of such building or premises, and such owner or occupant  
2082 shall be subject to the penalties prescribed by section 29-295 and, in  
2083 addition thereto, shall suffer a penalty of one hundred dollars a day for  
2084 each day of neglect, to be recovered in a proper action in the name of  
2085 the state.

2086 Sec. 63. Section 29-311 of the general statutes is repealed and the  
2087 following is substituted in lieu thereof (*Effective July 1, 2011*):

2088 (a) The [Commissioner of Public Safety as] State Fire Marshal, any  
2089 local fire marshal within the local fire marshal's jurisdiction, and all  
2090 duly authorized fire and police personnel acting within their  
2091 jurisdiction may enter into and upon any premises or building where



2092 any fire or explosion has occurred and premises adjacent thereto,  
2093 without liability for trespass or damages reasonably incurred, to  
2094 conduct investigations in accordance with sections 29-302 and 29-310,  
2095 as amended by this act, under the following circumstances and  
2096 conditions:

2097 (1) During an emergency by reason of fire or explosion on any  
2098 premises, they or any of them may, without a warrant, enter such  
2099 premises during the suppression of the fire or explosion or within a  
2100 reasonable period of time following the suppression thereof and  
2101 remain for a reasonable period of time following the suppression of the  
2102 fire or explosion to: (A) Investigate in order to determine the cause and  
2103 origin of the fire or explosion, (B) prevent the intentional or  
2104 unintentional destruction of evidence and (C) prevent a rekindling of  
2105 the fire.

2106 (2) After expiration of a reasonable period of time following the  
2107 suppression of the fire or explosion, they or any of them shall apply in  
2108 writing under oath to any judge of the Superior Court for a warrant to  
2109 enter upon the premises to determine the cause and origin of the fire or  
2110 explosion, if such cause or origin has not been previously determined.  
2111 The application shall describe: (A) The premises under investigation,  
2112 (B) the owner or occupant of the premises, if reasonably ascertainable,  
2113 (C) the date and time the fire or explosion which is the subject of the  
2114 investigation was reported to a police or fire agency, and (D) the dates  
2115 and times during which the investigative activities to determine the  
2116 cause and origin of such fire or explosion are to be conducted. The  
2117 judge to whom an application for a warrant is made may issue such a  
2118 warrant upon finding that the requirements of this subsection have  
2119 been met, and that the proposed activities are a reasonable intrusion  
2120 onto the private premises to determine the cause and origin of the fire  
2121 or explosion.

2122 (b) The [Commissioner of Public Safety as] State Fire Marshal shall,  
2123 within available appropriations, provide quarterly reports to the  
2124 Insurance Commissioner detailing all cases in which it has been

2125 determined that a fire or explosion was the result of arson.

2126 Sec. 64. Section 29-312 of the general statutes is repealed and the  
2127 following is substituted in lieu thereof (*Effective July 1, 2011*):

2128 The Commissioner of Construction Services may appoint a Deputy  
2129 State Fire Marshal [appointed in accordance with the provisions of  
2130 section 29-4 shall,] who shall be subject to the supervision and  
2131 direction of the Commissioner of [Public Safety,] Construction Services  
2132 and be vested with all the powers conferred upon said commissioner  
2133 by section 29-310, as amended by this act.

2134 Sec. 65. Section 16a-38k of the general statutes is repealed and the  
2135 following is substituted in lieu thereof (*Effective July 1, 2011*):

2136 (a) Notwithstanding any provision of the general statutes, any (1)  
2137 new construction of a state facility that is projected to cost five million  
2138 dollars, or more, and for which all budgeted project bond funds are  
2139 allocated by the State Bond Commission on or after January 1, 2008, (2)  
2140 renovation of a state facility that is projected to cost two million dollars  
2141 or more, of which two million dollars or more is state funding,  
2142 approved and funded on or after January 1, 2008, (3) new construction  
2143 of a facility that is projected to cost five million dollars, or more, of  
2144 which two million dollars or more is state funding, and is authorized  
2145 by the General Assembly pursuant to chapter 173 on or after January 1,  
2146 2009, and (4) renovation of a public school facility as defined in  
2147 subdivision (18) of section 10-282 that is projected to cost two million  
2148 dollars or more, of which two million dollars or more is state funding,  
2149 and is authorized by the General Assembly pursuant to chapter 173 on  
2150 or after January 1, 2009, shall comply with or exceed compliance with  
2151 the silver building rating of the Leadership in Energy and  
2152 Environmental Design's rating system for new commercial  
2153 construction and major renovation projects, as established by the  
2154 United States Green Building Council, or an equivalent standard,  
2155 including, but not limited to, a two-globe rating in the Green Globes  
2156 USA design program until the regulations described in subsection (b)

2157 of this section are adopted. The Secretary of the Office of Policy and  
2158 Management, in consultation with the Commissioner of [Public  
2159 Works] Construction Services and the Institute for Sustainable Energy,  
2160 shall exempt any facility from complying with said regulations if said  
2161 secretary finds, in a written analysis, that the cost of such compliance  
2162 significantly outweighs the benefits. Nothing in this section shall be  
2163 construed to require the redesign of any new construction of a state  
2164 facility that is designed in accordance with the silver building rating of  
2165 the Leadership in Energy and Environmental Design's rating system  
2166 for new commercial construction and major renovation projects, as  
2167 established by the United States Green Building Council, or an  
2168 equivalent standard, including, but not limited to, a two-globe rating  
2169 in the Green Globes USA design program, provided the design for  
2170 such facility was initiated or completed prior to the adoption of the  
2171 regulations described in subsection (b) of this section.

2172 (b) Not later than January 1, 2007, the Secretary of the Office of  
2173 Policy and Management, in consultation with the Commissioner of  
2174 [Public Works,] Construction Services and the Commissioner of  
2175 Environmental Protection, [and the Commissioner of Public Safety,]  
2176 shall adopt regulations, in accordance with the provisions of chapter  
2177 54, to adopt state building construction standards that are consistent  
2178 with or exceed the silver building rating of the Leadership in Energy  
2179 and Environmental Design's rating system for new commercial  
2180 construction and major renovation projects, as established by the  
2181 United States Green Building Council, including energy standards that  
2182 exceed those set forth in the 2004 edition of the American Society of  
2183 Heating, Ventilating and Air Conditioning Engineers (ASHRAE)  
2184 Standard 90.1 by no less than twenty per cent, or an equivalent  
2185 standard, including, but not limited to, a two-globe rating in the Green  
2186 Globes USA design program, and thereafter update such regulations  
2187 as the secretary deems necessary.

2188 Sec. 66. Section 4-212 of the general statutes is repealed and the  
2189 following is substituted in lieu thereof (*Effective July 1, 2011*):

2190 As used in sections 4-212 to 4-219, inclusive:

2191 (1) "Competitive negotiation" means a procedure for contracting for  
 2192 services in which (A) proposals are solicited from qualified persons,  
 2193 firms or corporations by a request for proposals, and (B) changes may  
 2194 be negotiated in proposals and prices after being submitted.

2195 (2) "Personal service contractor" means any person, firm or  
 2196 corporation not employed by the state, who is hired by a state agency  
 2197 for a fee to provide services to the agency. The term "personal service  
 2198 contractor" shall not include (A) a person, firm or corporation  
 2199 providing "contractual services", as defined in section 4a-50, to the  
 2200 state, (B) a "consultant", as defined in section 4b-55, (C) a "consultant",  
 2201 as defined in section 13b-20b, (D) an agency of the federal government,  
 2202 of the state or of a political subdivision of the state, or (E) a person,  
 2203 firm or corporation providing consultant services for information and  
 2204 telecommunications systems authorized under subdivision [(5)] (3) of  
 2205 subsection [(c)] (b) of section 4d-2, as amended by this act.

2206 (3) "Personal service agreement" means a written agreement  
 2207 defining the services or end product to be delivered by a personal  
 2208 service contractor to a state agency, excluding any agreement with a  
 2209 personal service contractor that the state accounting manual does not  
 2210 require to be submitted to the Comptroller.

2211 (4) "Secretary" means the Secretary of the Office of Policy and  
 2212 Management.

2213 (5) "State agency" means a department, board, council, commission,  
 2214 institution or other executive branch agency.

2215 Sec. 67. Sections 4d-4 and 4d-17 of the general statutes are repealed.  
 2216 (*Effective July 1, 2011*)

This act shall take effect as follows and shall amend the following sections:		
Section 1	July 1, 2011	51-44a(k)

Sec. 2	July 1, 2011	New section
Sec. 3	July 1, 2011	New section
Sec. 4	July 1, 2011	4-5
Sec. 5	July 1, 2011	4-38c
Sec. 6	July 1, 2011	4a-59a(b)
Sec. 7	July 1, 2011	4a-62(b)
Sec. 8	July 1, 2011	4a-100(k) and (l)
Sec. 9	July 1, 2011	4b-3
Sec. 10	July 1, 2011	4b-15(a)
Sec. 11	July 1, 2011	4b-136(a)
Sec. 12	July 1, 2011	4d-90(a)
Sec. 13	July 1, 2011	4e-8
Sec. 14	July 1, 2011	10-292(d)
Sec. 15	July 1, 2011	16a-35c(b)
Sec. 16	July 1, 2011	22a-26a
Sec. 17	July 1, 2011	22a-354i(b)
Sec. 18	July 1, 2011	31-57c(c)
Sec. 19	July 1, 2011	31-390
Sec. 20	<i>from passage</i>	46a-68
Sec. 21	<i>from passage</i>	10a-11
Sec. 22	<i>from passage</i>	46a-54(17)
Sec. 23	<i>from passage</i>	46a-82
Sec. 24	<i>from passage</i>	46a-68a
Sec. 25	July 1, 2011	New section
Sec. 26	July 1, 2011	New section
Sec. 27	July 1, 2011	4d-1
Sec. 28	July 1, 2011	4d-2
Sec. 29	July 1, 2011	4d-7
Sec. 30	July 1, 2011	4d-8
Sec. 31	July 1, 2011	4d-9
Sec. 32	July 1, 2011	4d-12
Sec. 33	July 1, 2011	4d-45(a)
Sec. 34	July 1, 2011	4d-80(a)
Sec. 35	July 1, 2011	4e-13(c)
Sec. 36	July 1, 2011	10a-151b(a)
Sec. 37	July 1, 2011	14-42a
Sec. 38	July 1, 2011	19a-25e
Sec. 39	July 1, 2011	New section
Sec. 40	July 1, 2011	4b-1
Sec. 41	July 1, 2011	New section

Sec. 42	<i>July 1, 2011</i>	New section
Sec. 43	<i>July 1, 2011</i>	4b-11
Sec. 44	<i>July 1, 2011</i>	20-330(10)
Sec. 45	<i>July 1, 2011</i>	29-250
Sec. 46	<i>July 1, 2011</i>	29-315a
Sec. 47	<i>July 1, 2011</i>	4-67g
Sec. 48	<i>July 1, 2011</i>	4-77b
Sec. 49	<i>July 1, 2011</i>	4-142b
Sec. 50	<i>July 1, 2011</i>	4b-23
Sec. 51	<i>July 1, 2011</i>	4b-76
Sec. 52	<i>July 1, 2011</i>	4b-101a
Sec. 53	<i>July 1, 2011</i>	4b-135
Sec. 54	<i>July 1, 2011</i>	10a-72(a)
Sec. 55	<i>July 1, 2011</i>	10a-90
Sec. 56	<i>July 1, 2011</i>	10a-91(a)
Sec. 57	<i>July 1, 2011</i>	5-198(y)
Sec. 58	<i>July 1, 2011</i>	28-24(a)
Sec. 59	<i>July 1, 2011</i>	29-4
Sec. 60	<i>July 1, 2011</i>	29-291
Sec. 61	<i>July 1, 2011</i>	29-302
Sec. 62	<i>July 1, 2011</i>	29-310
Sec. 63	<i>July 1, 2011</i>	29-311
Sec. 64	<i>July 1, 2011</i>	29-312
Sec. 65	<i>July 1, 2011</i>	16a-38k
Sec. 66	<i>July 1, 2011</i>	4-212
Sec. 67	<i>July 1, 2011</i>	Repealer section

**ED**        *Joint Favorable Subst.*

**JUD**       *Joint Favorable*

**APP**       *Joint Favorable*